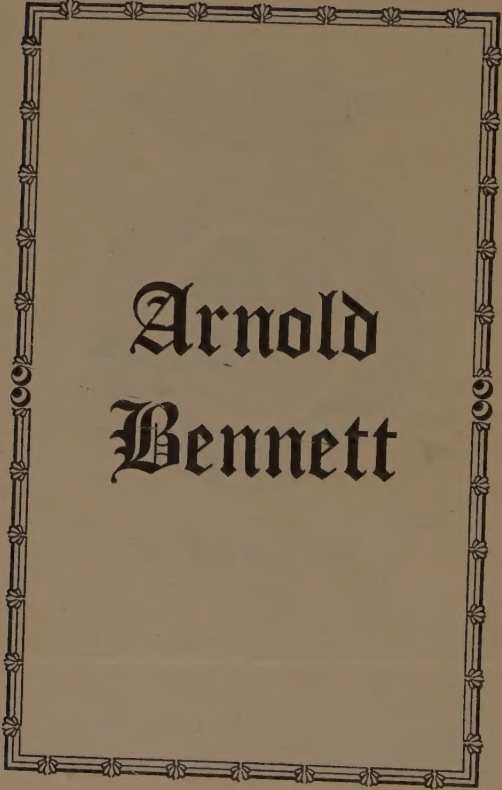




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ANNUAL REGISTER;

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AND ABROAD,

FOR THE YEAR

1863.

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## PREFACE.

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IN this Volume the changes in the form and arrangement of the work, which were indicated in the Preface to the Volume for 1862, have been carried out, and it is confidently believed that a great improvement has been effected.

The English History is now a continuous narrative of the most important events of the past year, instead of being, as hitherto, only an abridgement of the Parliamentary Debates. The Volume contains a New Section, in which is given a *résumé* of the progress of Literature, Science, and Art in the preceding year. The inconvenient arrangement of double columns has been abandoned, and the pages are printed in the ordinary form of histories. Each volume will be in future an independent work, marked by the year to which it relates, but still forming, as heretofore, a part of a continuous Series.

The Proprietors think it is hardly necessary to enlarge upon the great value of such a publication as this, which embraces an account of all the principal events at home and abroad during the preceding year. It contains not merely a History of England and Foreign Countries, but a Chronicle of the most Remarkable

Occurrences that are likely to possess a permanent interest—The Law Cases and Trials of chief importance—Biographies of the most eminent persons who have died within the Year—and a collection of carefully selected State Papers, which will be found invaluable for reference.

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# ANNUAL REGISTER,

FOR THE YEAR

1863.

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## PART I.

### ENGLISH HISTORY.

#### CHAPTER I.

State of the Revenue, Trade and general interests of the country at the commencement of the year—Distress in the Cotton Manufacturing Districts—State of public opinion in England in regard to the Civil War in America—Tranquil condition of our domestic politics—General absence of party feeling and acquiescence in the ascendancy of Lord Palmerston—Opening of the Session of Parliament by Commission on the 5th of February—The Royal Speech—Absence of recommendations of legislative changes—Debates on the Address in both Houses of Parliament—Principal topics of the leading speakers—The discussions turn chiefly on points of Foreign Policy—The chiefs of the Opposition make strong objections to the proposed cession of the Ionian Islands to Greece—General approval expressed of the policy of non-interference pursued towards the belligerent powers in America—Strictures on the conduct of our Government in regard to Denmark, Greece, Rome, and China—Defences of the ministerial policy by Earl Russell and Lord Palmerston—The Address in both Houses agreed to without division—Provision for the Marriage of the Prince and Princess of Wales—The proposed allowance is readily voted by the House of Commons—The announcement of the Marriage affords universal satisfaction—Great demonstrations of loyalty throughout the kingdom—Reception of the Princess Alexandra, her entry into London and celebration of the royal Marriage—Public rejoicings and festivities on the occasion—Presence of Her Majesty as a spectator at the nuptials—Gratifying anticipations deduced from that event.

At the commencement of the year 1863 the condition of the United Kingdom was, with one marked exception, flourishing and prosperous. The people, save in that single instance, were well employed, peaceable and contented. Political and religious animosities were more than usually quiescent, and there was little to disturb the calm of the social atmosphere. The Revenue of the country, notwithstanding many drawbacks and recent heavy drains on the finances, was in an improving state, and there appeared to be an opening for further relief from taxation by means of some reductions in the public expenditure. The condition of trade was

generally regarded as sound, and the returns of exports and imports betokened an unabated activity in foreign commerce. All looked well and promising, except in that one quarter to which the eyes of all who felt concern for the common weal were turned with painful solicitude. The chief centre of England's manufacturing wealth and industry, Lancashire, was now the source of her greatest perplexity and weakness. The civil war in America had fallen like a blight upon that populous and once opulent province, where tens of thousands of industrious men, with their families, were undergoing the terrible ordeal of enforced idleness and eleemosynary subsistence. Vast, indeed, as were the proportions of this calamity, the evils entailed by it were not without some alleviating circumstances. It was endured with exemplary patience, it excited universal sympathy, and it was not attended with that degree of demoralization which might have been anticipated from so great a dislocation of ordinary habits and industrious pursuits. The misfortune was inevitable, and was acknowledged by the immediate sufferers so to be. They felt that the distress to which they were reduced was owing to no neglect or errors of the Government, no injustice of the laws under which they lived; they knew also that they had the heartfelt sympathy of their countrymen, a feeling which was not confined to barren professions of commiseration. From every class of the community, and from the farthest extremities of the empire, the means of substantial relief had been supplied with a spontaneous liberality, which must have been no less gratifying than valuable to the sufferers. Before the end of January these voluntary contributions, from the various parts of the United Kingdom and from the Colonies, had exceeded the sum of three quarters of a million sterling. This large fund was controlled and allocated in weekly sums by Committees, who discharged gratuitously the arduous task of distribution. It is true that the amount thus weekly supplied by the Relief Fund, in addition to that furnished from the poor rates, sufficed for little more than a bare subsistence to the host of families whom the stoppage of the mills had reduced to indigence. Still, both the physical and moral effects of this generous outflow of national sympathy were of great value. It not only mitigated the actual suffering and privation, but it called forth, as one<sup>1</sup> who was himself a leading agent in the distribution of the funds declared, "a great amount of kindly feeling among different classes. It made rich and poor understand each other better than before, and taught them to remember their mutual dependence upon one another. It led the rich to think of the duties they owed to the poor, and it showed the poor that the rich were not unmindful of them in their affliction."

There was another feature in the circumstances of the Cotton

<sup>1</sup> The Earl of Derby. See his speech in the House of Lords, Feb. 5th.

Famine from which consolation might be derived. Within the extent of its immediate operation the calamity was great and overpowering, still it was rather in its local than its national effects that the loss occasioned by it was perceptible. If the people of Lancashire could only be rescued from starvation, the resources of the nation would not be seriously impaired. The other great branches of trade had not sympathized with the collapse of the cotton manufacture. On the contrary, the general resources and commercial interests of the country were in a prosperous condition. This was a gratifying, because, in some degree, an unexpected, result. It had been confidently anticipated in America, and in some quarters apprehended at home, that the suspension of so enormous a department of our manufacturing industry as that which depended on cotton, could not take place without shaking the whole industrial system to its centre, and producing widespread national distress. But even those who had felt most confidence in the strength and elasticity of the commercial resources of England, were surprised to find how completely these forebodings were disappointed. It was proved by the result that the nation could endure a much severer shock than even the prostration of her most productive branch of industry. The operations of her trade and the sphere of her labour were too vast and varied to be seriously affected by any local or partial derangement. As one source failed, others received fresh development, and the increased profits made in new quarters compensated the loss sustained by the depressed interests. Thus it came to pass that the national revenue, instead of suffering a decline, as might have been foreboded, in consequence of the great blow inflicted on the producing and consuming powers of the community, actually exhibited an increase, which enabled the Government, even while the calamity was in its full sway, to propose a reduction in the burthen of taxation.

The original cause of the disaster we are now considering, the civil war in America, now in the second year of its bloody and destructive continuance, was an event which more than any other at the present time engaged the attention and divided the opinions of the public in this country. As to its ultimate result on the destinies of the two parties engaged in it, or as to the period of its probable cessation, speculation was completely at fault. No political sagacity was equal to the task of forecasting either the issue or the date of its termination. The conditions of the contest and the relations of the contending parties were too novel and peculiar to allow any precedents to be drawn from experience. That it must be "fought out," appeared to be the only inference that could fairly be deduced from the conduct and spirit of the combatants, but at what cost and with what result no prudent man could venture to predict. Upon one point, however, nearly all persons of competent judgment, without distinction of parties, and to whichever side their sympathies



might incline, were of the same mind, namely, that the true policy of this country was to observe a strict and undeviating neutrality between the rival powers. Here and there, indeed, some exceptions to this unanimity might be observed. Among public men whose opinions carried weight with their countrymen, and among the organs of the press, a voice had been occasionally raised in favour of a recognition of the Southern States, the repudiation of the blockade, or other overt act of adhesion to one side or the other, but the general sense of the community was decidedly adverse to any form of intervention in the contest. The foremost statesmen of all parties deliberately pledged themselves to that policy; even among those whose dearest interests depended on the cessation of the strife, the suffering body of manufacturers, no complaint was made, no blame imputed to the Government, because they had not attempted, by taking a side in the contest, to hasten its termination. Nor was this anxiety for neutrality due to the mere dread of involving this country in hostilities; when the national honour was affected, as in the notable instance of the "Trent" steam-vessel, it was evident that no fear of the consequences of war would influence the English people to forego the assertion of their just rights. But the controversy between the Northern and the Southern States was regarded as an issue exclusively pertaining to the contending parties, with which foreign nations, however indirectly affected by the consequences, had no right to intermeddle. Deeply as we might regret the contest, and painfully as we might suffer from its effects on our trade and industry, we were bound to maintain the attitude of impartial spectators. To this resolution the Government and the nation steadfastly adhered, though exposed thereby to misunderstanding and censure, alternately from one of the belligerents or the other, and though it was well known that the Emperor of the French had expressed his own desire to recognize the Southern States, as a *de facto* power, and was prepared actually to take that step, provided only that England would consent to act with him.

But while neutrality was thus prescribed as our political duty, to expect that public opinion should be untinged with any sympathies in this momentous contest, would have been unreasonable. The feelings and hopes of the English public unquestionably took their side, and sometimes found audible expression. It is difficult to estimate exactly the relative forces of public sentiment upon any question, but so far as observation may be trusted, it would appear that opinion in England at this time leaned rather in favour of the Southern than the Northern States. Some of the causes of this inclination of feeling are sufficiently obvious. In the first place, it is certain that the arrogant and boastful language of the Northern leaders, the scornful and menacing terms which they occasionally used towards England, and especially the spirit evinced by them in the matter of the "Trent," had excited great

offence in this country against President Lincoln's Government and its partisans. A feeling of sympathy for the seceding States, as the weaker party, and a warm admiration for the constancy, the courage and superior skill with which they were maintaining an unequal contest, conspired with the causes before mentioned, to strengthen the alienation of the English public from their opponents. Added to which, there was probably in many minds no disinclination to see the overweening pretensions of the great American confederacy abated by a dismemberment which might result in a desirable partition and balance of power. From all or some of these causes it resulted that among a large proportion of the upper and educated classes in England, sympathy for the South, and desire for the success of the Secession was felt, and, in the confidence of private intercourse, was unreservedly expressed. On the other hand, the cause of the Northern States was not without its adherents on this side of the Atlantic. The party which followed the guidance of Mr. Bright, an active and demonstrative, if not very numerous section of the public, still upheld the cause of the Union, although the principles of economy, cheap government, and peace, with which they had hitherto identified the American Republic, seemed to have been utterly discarded in the struggle now waged at an unbounded cost of blood and treasure. A still more potent influence in the same direction was the old and unextinguishable hatred of slavery, so deeply rooted in the English mind, which induced great numbers, especially in the middle and lower classes of society, to overlook all other considerations in their desire to see this great contest issue in the abolition of that detested system. Regarding the Southern States as the stronghold of the institution in America, the Abolitionists on this side of the water did not stop to inquire too curiously into the sincerity of the professions of the Northern people on the subject, nor into the policy which had dictated the Emancipation Proclamation of President Lincoln; but simply identifying the cause of the North with that of human freedom, and the cause of Secession with the continuance of human degradation and misery, they unhesitatingly threw their weight into what they deemed the scale of liberty.

While the transactions that were passing in other countries thus engaged the principal attention of the English people, there were few matters in our domestic policy which excited controversy or interest. It seemed as if the long and warm contentions, which had resulted in the great reforms of the preceding thirty years, had been succeeded by a season of reaction and repose, and as if the settlement of the many momentous questions of policy which had during that period taken place had left little room for further legislation. There was, indeed, at this time a singular absence of demand for constitutional change,—a cessation of party cries and watchwords,—an almost total calm in the political atmosphere. The controversies of party appeared to have lost all their bitter-

ness, and much even of their vitality. The Ministry of Lord Palmerston commanded in a remarkable degree the acquiescence of the nation. True, the numerical strength of the whole Liberal party in the House of Commons exceeded by a very small margin that of their Conservative opponents, and the tendency of some recent popular elections had been even to reduce still more the narrow ministerial majority. Nevertheless it was apparent to careful observers that the strength of Lord Palmerston's Government was not measured merely by his own followers in the House of Commons. The truth was, that an indefinite portion of professed Conservatives in Parliament might be classed among the unavowed supporters of his policy. Without approving all his measures, these politicians instinctively felt that the veteran statesman, with his great tact and knowledge of the world, his large experience and skilful management of affairs and men, was, of all whom the times afforded, the person best adapted for the situation which he filled, and that, notwithstanding his alliance with many, whose designs and principles were to be feared, the institutions which they most valued were not unsafe in his hands. It was even whispered that, in the opinion of some Conservatives, there was more ground for confidence in the sagacious head of the Liberal Government than in certain of their own leaders. However this may be, it is unquestionable that no Minister of late years has possessed so great an ascendancy in the House of Commons, irrespective of the mere numerical strength of his professed adherents.

The Parliamentary Session commenced this year at the usual time, the first week in February. On the 5th of that month it was opened by Commission, Her Majesty not yet feeling equal to the exertion of meeting her Parliament in person after her great affliction. The Royal Speech was delivered from the throne by the Lord Chancellor, and was in the following terms:—

“MY LORDS AND GENTLEMEN,—

“Her Majesty commands us to inform you that, since you were last assembled, she has declared her consent to a marriage between His Royal Highness the Prince of Wales and Her Royal Highness the Princess Alexandra, daughter of Prince Christian of Denmark; and Her Majesty has concluded thereupon a treaty with the King of Denmark, which will be laid before you.

“The constant proofs which Her Majesty has received of your attachment to her person and family, persuade her that you will participate in her sentiments on an event so interesting to Her Majesty, and which, with the blessing of God, will, she trusts, prove so conducive to the happiness of her family, and to the welfare of her people.

“Her Majesty doubts not that you will enable her to make provision for such an establishment as you may think suitable to the rank and dignity of the Heir Apparent to the Crown of these realms.

“A revolution having taken place in Greece, by which the throne

of that kingdom has become vacant, the Greek nation have expressed the strongest desire that Her Majesty's son Prince Alfred should accept the Greek Crown. This unsolicited and spontaneous manifestation of good will towards Her Majesty and her family, and of a due appreciation of the benefits conferred by the principles and practice of the British Constitution, could not fail to be highly gratifying, and has been deeply felt by Her Majesty.

"But the diplomatic engagements of Her Majesty's Crown, together with other weighty considerations, have prevented Her Majesty from yielding to this general wish of the Greek nation.

"Her Majesty trusts, however, that the same principles of choice which led the Greek nation to direct their thoughts, in the first instance, towards His Royal Highness Prince Alfred, may guide them to the selection of a Sovereign under whose sway the Kingdom of Greece may enjoy the blessings of internal prosperity, and of peaceful relations with other States; and if in such a state of things the Republic of the Seven Islands should declare a deliberate wish to be united to the Kingdom of Greece, Her Majesty would be prepared to take such steps as may be necessary for a revision of the Treaty of November, 1815, by which that Republic was reconstituted, and was placed under the protection of the British Crown.

"Her Majesty's relations with Foreign Powers continue to be friendly and satisfactory.

"Her Majesty has abstained from taking any step with a view to induce a cessation of the conflict between the contending parties in the North American States, because it has not yet seemed to Her Majesty that any such overtures could be attended with a probability of success.

"Her Majesty has viewed with the deepest concern the desolating warfare which still rages in those regions; and she has witnessed with heartfelt grief the severe distress and suffering which that war has inflicted upon a large class of Her Majesty's subjects, but which have been borne by them with noble fortitude and with exemplary resignation. It is some consolation to Her Majesty to be led to hope that this suffering and this distress are rather diminishing than increasing, and that some revival of employment is beginning to take place in the manufacturing districts.

"It has been most gratifying to Her Majesty to witness the abundant generosity with which all classes of her subjects in all parts of her empire have contributed to relieve the wants of their suffering fellow-countrymen; and the liberality with which Her Majesty's colonial subjects have on this occasion given their aid has proved that, although their dwelling-places are far away, their hearts are still warm with unabated affection for the land of their fathers.

"The Relief Committees have superintended with constant and



laborious attention the distribution of the funds entrusted to their charge.

"Her Majesty commands us to inform you that she has concluded with the King of the Belgians a Treaty of Commerce and Navigation, and a Convention respecting Joint-Stock Companies. That Treaty and that Convention will be laid before you.

"Her Majesty has likewise given directions that there shall be laid before you papers relating to the affairs of Italy, of Greece, and of Denmark, and that papers shall also be laid before you relating to occurrences which have lately taken place at Japan.

"GENTLEMEN OF THE HOUSE OF COMMONS,—

"Her Majesty has directed that the Estimates for the ensuing year shall be laid before you. They have been prepared with a due regard to economy, and will provide for such reductions of expenditure as have appeared to be consistent with the proper efficiency of the public service.

"MY LORDS AND GENTLEMEN,—

"We are commanded by Her Majesty to inform you that, notwithstanding the continuance of the civil war in North America, the general commerce of the country during the past year has not sensibly diminished.

"The Treaty of Commerce which Her Majesty concluded with the Emperor of the French has already been productive of results highly advantageous to both the nations to which it applies; and the general state of the Revenue, notwithstanding many unfavourable circumstances, has not been unsatisfactory.

"Her Majesty trusts that these results may be taken as proofs that the productive resources of the country are unimpaired.

"It has been gratifying to Her Majesty to observe the spirit of order which happily prevails throughout her dominions, and which is so essential an element in the well-being and prosperity of nations.

"Various measures of public usefulness and improvement will be submitted for your consideration; and Her Majesty fervently prays that in all your deliberations the blessing of Almighty God may guide your counsels to the promotion of the welfare and happiness of her people."

It will be observed that this speech, differing from those delivered on the same occasion for some years past, abstained from the mention of any specific legislative projects or reforms,—a circumstance which may be regarded as indicative of that quiescent state of public opinion, to which we have before referred.

The Addresses to the Throne were moved and seconded in the Upper House by Earl Dudley and the Earl of Granard, and in the House of Commons by Mr. Calthorpe and Mr. Bazley. The debate in the House of Lords was signalized by the first appearance as a member of that illustrious assembly of His Royal



Highness the Prince of Wales, who on that evening took the oaths and his seat. The ceremonies which took place on this occasion are described in another part of this volume. After being sworn His Royal Highness took his seat upon the cross benches. Subsequently on several occasions during the session the Prince attended in his place as a listener to the debates.

The chief interest of the debates on the Address centres in the speeches of the leaders of the Opposition and the replies of the Ministers thereto. The Royal Speech offers a sort of programme of policy out of which the chiefs of the adverse party select their topics of animadversion or attack, commenting on any past measures which may afford them ground for blame, or announcing beforehand the hostility which they intend to offer to measures in contemplation. Upon the present occasion the Earl of Derby in the House of Lords discharged with his accustomed force and skill the office of Opposition critic, taking a wide survey of the field of policy, domestic and foreign, which the Speech exposed to view, on some points conceding credit to the Government, in other cases assailing their conduct with happy ridicule or forcibly pointed censure. Few men living could have expressed with more felicity than his lordship the congratulations of the House to Her Majesty on the auspicious event in the Prince of Wales's history which had been announced in the Speech from the Throne, and upon the appearance of His Royal Highness that day for the first time as a member of the House of Peers. Passing from this topic, Lord Derby proceeded to enter upon the subject of our foreign policy, and adverting first to the civil war in America, he expressed his deliberate approval of the policy of neutrality which was announced from the Throne and had been pursued by Her Majesty's Government. Referring to the overture for intervention which was believed to have been made by the Emperor of the French, Lord Derby said,—

“I may regret, indeed, that Her Majesty's Government did not feel themselves justified in joining in the attempt, however hopeless it might be, to which they were invited by the Sovereign of France, not, as the noble earl who has just spoken, by a slip of the tongue, said, for the purpose of putting an end to the war, but with the view of endeavouring by good offices to obtain such an armistice or cessation of hostilities as might lead the two parties themselves to reflect upon the miseries and hopelessness of the war in which they are at present engaged. I think it is matter of regret that Her Majesty's Government did not feel themselves justified in acceding to the wish of the Emperor of the French, but before I censure the course pursued by them, it is only fair I should say that they were in possession of much better means of information than any I can pretend to, as to whether such an interference as the one contemplated, intended to put an end to the war, might not rather have aggravated the bitterness of the strife by the irritation arising from any foreign

intervention. Upon that point, which doubtless they considered in all its bearings, they were probably enlightened by the despatches of our Minister at Washington. I therefore take no objection to the course pursued, although I regret that no attempt was made to promote the restoration of peace. 'Mediation' would, perhaps, not be a correct or legitimate expression to apply to that proposed species of intervention. I presume that, previous to attempting mediation, the two parties should be agreed upon the terms, or at all events the principles upon which it ought to be conducted; but if I know any thing of the state of feeling in the Northern and Southern States the question at issue between them is not a question of degree, but a question of fundamental principle, as to which there can be no mediation, because it is a question on one side of the continuance of the Union, and on the other of separation. And so much being decided, it is necessary to determine on what principle the negotiations should proceed—whether on the principle of maintaining the Union in its integrity, or of acquiescing in the separation of the two bodies. And I greatly fear from the language of the respective parties that at present the consent of both could not be obtained to either principle. It has been said, by personal and political friends of my own, by men for whose opinions I entertain the highest respect, that the time has arrived when it is desirable that we should recognize the Southern Republic. Upon that subject, regretting as I do to differ from any of my friends, I confess I cannot bring myself to the conclusion that the time has arrived at which it is either wise, politic, or even legitimate, to recognize the South. I do not think the circumstances have yet occurred under which a revolting State is entitled to recognition from neutral powers. The first of those circumstances is where, although the State from which a secession has taken place has not acquiesced in it as a *fait accompli*, yet the war is, in point of fact, at an end, and no struggle is going on for the restoration of the original dominion. That was the case when the States of South America revolted from Spain. For a long period before those States were recognized by the Powers Spain had ceased to take any active steps to keep them under her rule. Another set of circumstances under which recognition is legitimate is where other nations, having in the interest of humanity determined that a desolating warfare shall no longer be continued, agree to recognize the revolting party. But in that case recognition is always followed by something further, for it means nothing unless the Powers who join in it are ready to support by force of arms the claims of the State which they recognize. That was the case when Belgium separated from Holland, and when Greece separated from Turkey. No doubt there are occasions when the horrors of war and the danger to the public interests of the world from the prolongation of a contest are so great that it is essential it should be terminated by other nations intervening to recognize the secessionist, but in that event they must be prepared to go a

step further, and to maintain by force the independence which they have acknowledged. I cannot but think that this consideration has not been sufficiently weighed by those who are anxious for the recognition of the South. My conviction, which has been strengthened by every thing which has occurred from the first outbreak of the civil war, is that the restoration of the Union as it formerly existed is the one conclusion which is absolutely impossible. I believe that at first the feelings of this country were strongly in favour of the North, and that it was not generally supposed that the North would have any great difficulty in overrunning and subduing the South. But even at that early period it was perceived that, if the North were to succeed in subjugating the South, its difficulties would only commence, because it was out of the question that where such mutual animosity existed, and such injuries had been inflicted on one side and on the other, any cordial reconciliation could take place between them. If it was so a year or two years ago, how much stronger must this conviction have grown when day by day the struggle becomes more desperate, when it is more apparent that neither party can obtain a signal and decisive advantage over the other, the one on the defensive being always the one which has practically the best of it; and when it is obvious that the continuance of the war is the continuance of the most dreadful slaughter and the most harrowing carnage, accompanied by increasing bitterness of feeling, and, if we may believe reports, by aggravating atrocities on both sides, which add unusual horrors to those by which war, and especially a civil war, is attended? Under these circumstances I declare my firm conviction that there is no possibility of re-establishing the Union between the North and South. At the same time recollect the struggle is still going on. The whole sea-board of the South is in the possession of the North, and large Federal armies are in Southern territory, where they obtain occasional advantages. That being the case we have no right to recognize the South, unless we mean to do—what I do not believe the advocates of recognition are prepared for—interfere by force of arms and insist on laying down the terms on which a separation is to take place. Therefore, I own I approve, on the whole, of the course pursued by the Government, and of that entire neutrality which I believe they have practically carried out to the utmost extent in their power.”

The noble lord then proceeded to express his views with reference to the distress in our manufacturing districts, which he regretted that he could not believe would be short-lived, and he entered into various details in regard to the effect of the system of relief adopted upon the moral condition of the work-people. For various reasons, depending on the price of cotton and the glut of cotton goods in the market, he took a very gloomy view of the prospects of the trade, and thought that for two or three years there would be a necessity for appealing to the public sympathy for contributions in aid of the distressed operatives.

Turning then to foreign affairs, Lord Derby expressed his regret that he was not able to offer his congratulations to the Foreign Secretary upon his policy. Earl Russell and himself had once been colleagues in the Cabinet of that very able and shrewd minister Lord Melbourne. One lesson he constantly inculcated on his colleagues in office. When there was a matter of great embarrassment, which it was not known how to dispose of at the moment, Lord Melbourne's favourite observation was, "Can't you let it alone?" But that was the very thing which, with all his experience, and the example of that minister before him, the Secretary for Foreign Affairs could not do: "he cannot let it alone." Lord Derby proceeded to comment upon the inexpediency of Lord Russell tendering his advice, as he had done to Denmark, thereby aggravating the difficulties of the Danish Government. He assailed also in a happy vein of ridicule the offer which had been made to the Pope of a refuge under the protection of the English flag at Malta, in the event of the Holy Father finding himself compelled to abdicate his own territory. Nothing, he said, could have been more unnecessary or ill-devised than the suggestion of such an asylum. The offer which had been made to Prince Alfred of the Crown of Greece was a very gratifying event; but Lord Derby desired to know why Greece was allowed by Her Majesty's Government to remain for so long a time in suspense as to their determination. Our Ministers were in this dilemma,—either they had originally intended to accept the throne, apart from treaty obligations, or they had been frightened from that course by the strong language held by Russia and France.

The last topic to which Lord Derby adverted, and in a tone of decision, which seemed to indicate that upon this question the Opposition party had resolved to controvert strongly the policy of the Government, was the contemplated cession of the Ionian Islands to the new sovereignty of Greece. The noble lord said:—

"I must look at this question, not only as it affects the Ionian Islands themselves, not only as it affects Greece, but as it affects the interests of this country, and the interests of Europe. I am not going to say that Her Majesty's Government could not, even without the consent of Parliament, give up the protectorate of this country over those islands. I do not say that such a step could be regarded in the light of a dismemberment of the empire; but I say that they were confided to Great Britain after a consideration of serious questions of European policy, and after grave deliberation on the part of this and other Powers. It had been a matter of much anxiety to Great Britain to obtain those islands, and to retain that possession, and a position such as they afford is not a matter of such indifference to the power of this country as some persons have represented it to be. Previously to 1814 most of those islands had been captured. Corfu had not



been in our possession, but for two years before it had been blockaded by the fleets of Great Britain, though it was only after the fall of Napoleon that the French Government gave up that island. From that moment it has been held by Great Britain. At a time when this country was at war, military and naval officers all concurred in the opinion as to the importance of holding and maintaining the Ionian Islands for the purposes of England. One of the latter said, he regarded the possession of Corfu as equal to the addition of two frigates to his fleet. Competent authorities on the subject have stated their opinions as to the importance of our protectorate of those islands in respect to our position in the Mediterranean and the Adriatic, and on account of their geographical position in respect of the route to India *viâ* Egypt. I do not mean to say that there may not be some considerations of expenditure connected with this protectorate, and that it may not to some extent be an embarrassment to have to protect and watch over the most difficult set of men in the world to protect—Ionians travelling in foreign countries; but I do say that positions of such great importance ought not to be surrendered so lightly and so hastily as Her Majesty's Government seem to think they may be, and that considerations of inconvenience and expense ought not to interfere with the holding of positions of great importance to this country. I think I may appeal to the illustrious duke on the cross benches (the Duke of Cambridge) to corroborate me when I say that during the Crimean war great advantage was felt from the facility those islands afforded for supplying troops, while we were enabled to garrison them with militia. They afford a rendezvous for our fleets, and give us one of the safest and best harbours in the Mediterranean, while they might prove a source of great embarrassment to us if they were in possession of a naval Power hostile to this country. I am not arguing that under no circumstances that could possibly occur would it be desirable to surrender the Ionian Islands, though I greatly doubt whether it will ever be for the interest of England to give up the nominal protectorate, or the real possession, of these islands. But I do say that the utmost care and attention ought to be devoted to the subject before Her Majesty's Government come to any conclusion upon a matter of such grave importance. Last year I think the noble earl, in the House of Commons, when speaking of the great interests which England had in the Adriatic, was interrupted by an hon. member, who said, 'What great interests?' To which the noble earl replied, 'I should have thought the harbour of Corfu afforded a sufficient answer to such a question.' Again, it was only last year that the noble duke (Newcastle), as Secretary for the Colonies, disclaimed in the most emphatic manner any desire and any intention on the part of the Government to surrender these islands, contending that they were a solemn trust confided to us by Europe, and that we had not the slightest idea of parting with them. But to whom do you part with them? You propose quite

gratuitously to cede these islands to a Government which is not yet formed—to a State which is yet in the throes of revolution. You propose to give them to this State, unasked for, and, as I will presently show you, in direct opposition and contradiction to the principles which have been laid down by the noble earl himself as those which should regulate the policy of this country. In a correspondence which, somewhat gratuitously again, the noble earl carried on in the course of last year with Prince Gortschakoff, he undertook to lay down certain principles which should regulate the policy of this country in the East, and concluded in terms to which Prince Gortschakoff cordially assented, expressing his great satisfaction at hearing such sentiments from the noble earl. The noble earl insisted then that there should be a total abandonment by Greece of *grandes idées*, that the country should abstain from acts of aggression upon the territory of her neighbours, and should keep down the turbulent revolutionary spirit of insurrection, which threatened alike all the thrones of Europe. The noble earl went on to enlarge upon the necessity of preventing Greece from becoming a dangerous enemy of Turkey; and that was the guiding principle he laid down. Well, now, how does he propose to carry out that principle? He proposes to cede the Ionian Islands to Greece, but insists that the form of government there should be monarchical. I presume he means that there shall exist in that country a constitutional monarchy. I presume he means a monarchy in which Parliament shall exercise some control over foreign as well as over domestic policy. Admitting the necessity of procuring the sanction of the Great Powers, it is now proposed that when a monarchy is established in Greece, based on these principles—the abandonment of *grandes idées*, the non-extension of territory, and non-aggression as regards Turkey—the great Powers shall be asked to sanction the surrender to that monarchy of the Ionian Islands. Now, that seems to me to be putting off the surrender *ad Græcas Kalendas*. How soon is the noble earl to be satisfied, not that a constitutional monarchy is established in Greece, but that the Government and Legislature there are willing and are able to discourage that dangerous spirit of aggression against which the noble earl protests in such strong terms? Then, again, how does the noble earl assist them to keep down this dangerous spirit? Why, by joining with them a number of islands, at present under the English Protectorate, the inhabitants of which have been the firmest supporters of that very aggression upon Turkey which the noble earl says will form an absolute and entire bar to our surrender of these islands. In proof of this, it is not necessary that I should go further back than to the address of thanks presented by the inhabitants on the first intimation to them of Her Majesty's intention to cede the islands to Greece. In this address, the people declare their peculiar gratitude, because in that cession they see the future support of England during those struggles which must hereafter

take place for the extension of Christianity and of Christian civilization—in other words, for their spread upon the territories of Turkey. And so the noble earl assists this constitutional Power to resist the spirit of aggression among its people by uniting with it, as an additional element, a nation which is as one man in favour of that very principle of aggression. One word more upon this subject. Look at the position of Corfu, the most important from its harbour and fortifications. It lies eighty miles to the north of the nearest point of the boundary of Greece, but it is within one mile of the coast of Thessaly, part of the Turkish dominions, thus affording favourable opportunities for constant, I will not say invasions—but for constant broils, which will infallibly lead to struggles, in which Greece may get the worst of it, and to some new arrangements, in which Corfu may possibly fall into the hands of some other Power, that Power being neither Greece nor Turkey. On all these grounds I implore the Government to consider the gravity and importance of the step they are about to take. I earnestly conjure Parliament and the country to interpose by the pressure of public opinion against an act which is one of the most suicidal and imprudent I ever recollect.”

Having disposed of these topics, Lord Derby threw out some jocular taunts against the Government, on account of the very scanty promises of legislation which the Royal Speech contained. He perceived they would bring forward no ambitious measures, no sweeping alterations of the Constitution, but that they would spend altogether “a quiet, humdrum session.” He concluded his speech by pathetically referring to the loss recently sustained by their Lordships in the death of the venerable Marquis of Lansdowne, and paying a just tribute to the high character and eminent services of that nobleman.

Earl Russell, having briefly touched on the preliminary topics of the Royal Speech, vindicated the conduct of the Government in not acceding to the request of the French Emperor in regard to mediation between the belligerent parties in America, as the time had not arrived for such a course. He repelled the charge of meddling brought against him by Lord Derby, and showed the inconsistency of that noble lord, who blamed him for not meddling in America and Mexico, and did not praise him for meddling at Denmark and Rome. In his wish to prevent any rupture of the peace of Europe, he had given his advice to Denmark, and, although it had not been accepted, he was convinced that it would have placed Denmark in a better position than she occupied as regarded Schleswig at the present time. He then detailed the origin of the proposal to the Pope, which, it appeared, was only a reply to a question put by the Pope on the subject to Mr. Odo Russell at an interview sought by the Pope himself. Nothing could be further from the truth than that the claim of Prince Alfred to the throne of Greece had been given up on account of the strong language of France and Russia. Her Majesty’s



Government had been the first to recur to the protocol excluding the scions of the Royal families of the three contracting countries, and the consequence was that Prince Leuchtenberg was ultimately given up by Russia. Upon the subject of the Ionian Islands Earl Russell entered more fully, expressing his total dissent from the view taken by Lord Derby, and explaining the true nature of our relations to those territories, which were no part of the dominions of Her Majesty, but only placed by treaty under the protection of the Crown:—

“What is the history of this protectorate given to Great Britain? I have heard it orally from a lamented friend of mine, the late Lord Beauvale, who knew all that happened at the Congress of Vienna, and I have found all that he said confirmed in the protocols and treaties of that Congress. As the noble earl has said, six of these islands were then in the possession of Great Britain, having been acquired by her own arms, and the other was temporarily held by another Power. The Austrian Government offered, as they were in a position affecting the tranquillity of the Adriatic coast, to undertake the government of these islands, securing to the islanders the enjoyment of their own privileges. But it happened that at that time the voice of Russia was very powerful. The results of the campaign had given the Emperor Alexander very great influence with the Congress, and Count Capo d'Istrias, a Minister high in that Emperor's confidence, who had a patriotic feeling in favour of the nationality of the Greeks, suggested, when Austria made her proposal, that the Ionian Islands should be maintained in all their privileges as a free State under the protection of Great Britain. He said that the institutions of Austria did not give any promise of freedom to the Ionian Islands, but he admired British Institutions, and wished the Ionians to have the benefit of them. The consequence of that declaration and that interference of Russia was what?—a treaty in which it was said that Great Britain should have the fortress of Corfu, to give her power in the Mediterranean? Nothing of the kind. It said that the Ionian Islands, naming each Island, should form one single, free, and independent State, under the name of the Republic of the Ionian Islands. So that it is by no means a possession of Great Britain or any part of the Queen's dominions; but is, by that treaty of 1815, a free and independent State. Well, what becomes of all the argument, if I may call it so, about the importance of the fortress and the position? My opinion is, that having adopted a trust, having made yourselves the protectors of this free and independent State, you are bound to look to the welfare of the Ionians. Above all, that you are bound to discharge your duty faithfully and conscientiously towards that free and independent Republic. I believe the importance of Corfu is very much exaggerated. But if you were to say, ‘We care nothing about the wishes of the Ionian Islands, but what we do care about is a fortress for ourselves, what we do care about is a harbour for Great Britain,’ I

believe that all Europe would cry out upon you for that declaration, and those who gave you that trust would say, 'You have perverted the solemn trust confided to you, and that which ought to have been treated according to the original terms of the stipulation for the benefit of the Ionians you have considered only as a part of the strength of your dominions.' Because, that was the whole gist of the noble earl's remarks. He never spoke for a moment about the Ionians or their wishes."

The Earl of DERBY, in explanation, was understood to say that he had referred to their being consulted.

Earl RUSSELL.—"That is exactly what we are going to do. We mean to consult them. Moreover, this is a matter which also requires consideration from the other Powers. We say first to the Ionians, 'If you, on the meeting of your Parliament, to be convened for the purpose, shall declare (as once or twice they have irregularly done) that Greece being now an independent kingdom we wish to belong to Greece,' then we shall consult the other Powers of Europe who were parties to the original treaty, as to what should be done, and whether, it being the wish of the Ionian Islands to be joined to Greece, they ought not to be so joined. If it is clearly the desire of the Islands, as it is very possible it may be, notwithstanding the symptoms that have from time to time been exhibited, to enjoy the benefits of the protection of Great Britain, which, I think, are very great, then one consequence of this will be that we shall be free from the reproach which is cast upon us from every side—that while in every corner of Europe we profess such liberal principles, while we profess that Italy ought to be independent and free to manage its own concerns, we coerce and oppress the Ionian Islanders, who wish to be released from our rule. These Islands being no dependency of the British Crown and no part of the British dominions, if they fairly and deliberately declare their desire for union with Greece, I maintain that be the advantages of our having a fortress in the Mediterranean what they may, it does not belong to the character of this great country to say that it will keep them in subjection, although they wish to be free and are entitled to be so."

The other principal speakers on this occasion were the Earls of Malmesbury and Carnarvon, and Earl Grey. The two former Peers supported, in general, the views of Lord Derby, with respect to the foreign policy of the Government. Lord Malmesbury blamed the officious advice to Denmark, and the diplomacy of Lord Russell at Rome, regretted that we had not acceded to the invitation of the Emperor of the French to mediate between the States of America, complained of the vacillation of the Government in respect to the occupation of the throne of Greece, and still more severely censured the proposed cession of the Ionian Islands. This surrender, he argued, would be a precedent for the cession of Malta and Gibraltar hereafter. We had no security that Greece would be able to retain

so important a harbour as that of Corfu, and if not, it might fall into hands which would not be so ready to give it up. Lord Carnarvon also expressed strong objections to this measure.

Earl Grey, on the other hand, justified the policy of Her Majesty's Government in regard to the United States and to the Ionian Islands. With respect to the proposed mediation in America, the noble Earl said:—

“He felt as strongly as any one a desire for the cessation of that horrible warfare, but he asked did any one believe that the tender of good offices at that time would have contributed to bring the war to a close? It had been observed most truly that before proposing an accommodation they should make up their mind as to the principle on which the accommodation was to be proposed. The South insisted on independence, and the North on the re-establishment of the Union, and he thought that their lordships would feel that if, some months ago, accommodation had been proposed on the idea that the re-establishment of the Union was impossible, the Government of the United States might well have complained of the exertion, on the part of this country, of a moral power against them; and if, on the other hand, mediation had been offered on the basis of the re-establishment of the Union, then they would have proposed what he concurred in thinking was absolutely impracticable. There could, he thought, exist little doubt that if our Government had so interfered they would, instead of doing good, only have further irritated those already too much incensed against this country.”

As to the Ionian Islands, Lord Grey asserted the right of the Crown to cede not only protectorates such as this, but even possessions acquired by treaty, without consulting Parliament at all. The magnificent island of Java had been thus ceded, and though he did not admit the expediency of that cession, it was clearly within the prerogative of the Crown. The cession of the Ionian Islands, however, he considered to be right not only in form, but in substance. The importance of Corfu had been exaggerated. We did not want two stations in the Mediterranean. One good one, such as Malta, was sufficient; for by holding two large fortresses, we frittered away our small army in providing large garrisons, and seriously hampered our naval forces by obliging them to look after several islands instead of one.

The Address to the Throne, echoing the terms of the Royal Speech, was agreed to *nem. con.*

The debate in the House of Commons turned upon nearly the same topics as were under discussion at the same time in the other House of Parliament,—the civil war in America, manufacturing distress, our foreign policy in regard to Denmark, Rome, and Greece, and the proposed surrender of the Ionian dependencies. The seconder of the address, Mr. Bazley, one of the representatives of Manchester, and connected by business with that place, contributed some interesting facts as to the extent and pressure

of the distress, and the means which had been adopted to relieve it.

“It appeared that at the end of the last week in January, 1863, the guardians of 147 Unions in the manufacturing districts were affording relief to the amount of 15,612*l.*, which was distributed among 221,045 persons. From the Relief Fund during the same week the sum of 39,474*l.* was expended in the relief of 374,630 persons. The total relief was therefore 55,086*l.*, which was distributed among 595,675 persons. The total contributions from all sources—the spontaneous contributions of the people of the United Kingdom, of the colonies, and of foreign countries up to the end of January, amounted to the large sum of 760,692*l.* It was quite true that the cotton operatives had been slightly better employed of late, but he feared that there was no possibility of any improvement at present to any great extent. He regretted, too, that the distress was increasing to a lamentable extent among the class of small tradesmen, and other classes, who had not hitherto received assistance from the Relief Fund. The fact was, that for the last two years a large portion of the people of the manufacturing districts had been living upon their capital. The work-people had been compelled to part with their furniture, and both they and the middle class of tradesmen had little by little exhausted all the means they possessed, so that the provident and the improvident had sunk to the same common condition of distress and destitution. The Savings’ Bank of Manchester was principally resorted to by domestic servants and other classes than those employed in the cotton trade, and was not therefore a fair test of distress. The cotton operatives were for the most part spirited individuals, who looked to building clubs as a more eligible investment, who saved money with a view of commencing some little business, and who would not accept the low rate of interest of the savings’ banks. The distressed labouring classes were now asking for a supply of the raw material; they did not want charity; they only asked for the means of prosecuting their labours, and obtaining subsistence for themselves. He trusted that the Government would do something to obtain from our vast colonies an increased supply of cotton. There were many colonial dependencies from which it might be obtained,—Australia, the British West and East Indies,—and he trusted that a year or two would put us in possession of a largely increased supply. There was a prospect of a sufficient supply of cotton being obtained to enable the operatives to work half-time during the ensuing year, but it must be remembered that the inferiority of Indian cotton was so great that even if they worked half-time the operatives would not be able to earn more than one-third their usual wages. He trusted that the producers of East Indian cotton and the authorities of India would be induced to exert themselves, not only for the benefit of the ryot, but of the labouring classes of Lancashire. He might be permitted to refer to the great extent



of the cotton trade in the year 1860. The exports of cotton to all parts of the world were in that year 56,000,000*l.* sterling, while last year they only reached 37,000,000*l.* sterling. This was a frightful diminution; but the money value of the exports was not a correct indication of the diminution in trade, because, as the price was somewhat increased, quantity and not value was the more accurate test. The textile exports of 1860 consisted of two-thirds of all the exports, while the exports of linen, woollen, and silk supplied the remaining third. It was true that the industry of the country was generally in a prosperous condition, and that the cotton trade was the only branch of industry under a cloud. The iron trade, the woollen trade, the linen trade, and the silk trade were all in a state of considerable activity, and if the cotton trade had remained in its ordinary state, there would have been almost too much prosperity for the kingdom to bear with temperance and moderation. Generous contributions had flowed in from all classes, and from every part of the kingdom; but it was only justice to the manufacturing districts to state that up to the end of last year they had contributed very nearly one-half the total amount raised for the relief of the distress. The manufacturing districts had contributed 260,000*l.* for this purpose, besides supporting a multitude of persons at a cost that had never been published. The other parts of the country had contributed 275,000*l.*; the colonies 53,000*l.*; and from foreign countries the sum of 5000*l.* had been received. It was with great pleasure that he added that the contributions of the North American States had been most liberal; that they had been received in the manufacturing districts with the greatest satisfaction, and that the utmost gratitude had been expressed for the supply of food which had so seasonably arrived."

Mr. Disraeli, after expressing his warm congratulations to the House and to Her Majesty on the approaching Royal Marriage, and his deep sympathy with the distress endured by our manufacturing population, proceeded to state at some length his views respecting the pending contest in America:—

"I am bound to say that from the first—and subsequent events have only confirmed my conviction—I have always looked upon the struggle in America in the light of a great revolution. Great revolutions, whatever may be their alleged causes, are not likely to be commenced or to be concluded with precipitation. Before the civil war commenced the United States were colonies, because we should not forget that such communities do not cease to be colonies because they are independent. They were not only colonies, but they were colonizing, and they existed under all the conditions of colonial life except that of mere political dependence. But even before the civil war I think that all impartial observers must have been convinced that in that community there were smouldering elements which indicated the possibility of a change, and, perhaps,

of a violent change. The immense increase of population, the still greater increase of wealth; the introduction of foreign races in large numbers as citizens, not brought up under the laws and customs which were adapted to a more limited, and, practically, a more homogeneous race; the character of the political constitution consequent, perhaps, on these circumstances; the absence of any theatre for the ambitious and refined intellects of the country, which deteriorated public spirit, and lowered public morality; and, above all, the increasing influence of the United States upon the political fortunes of Europe,—these were all circumstances which indicated the more than possibility that the mere colonial character of these communities might suddenly be violently subverted, and those imperial characteristics appear which seem to be the destiny of man. I cannot conceal from myself the conviction that whoever in this House may be young enough to live to witness the ultimate consequences of this civil war will see, whenever the waters have subsided, a different America from that which was known to our fathers, and even from that of which this generation has had so much experience. It will be an America of armies, of diplomacy, of rival States and manœuvring Cabinets, of frequent turbulence, and, probably, of frequent wars. With these views I have myself, during the last session, exerted whatever influence I might possess in endeavouring to dissuade my friends from embarrassing Her Majesty's Government in that position of politic and dignified reserve which they appeared to me to have taken up on this question. It did appear to me, looking at these transactions across the Atlantic, not as events of a mere casual character, but as being such as might probably influence—as the great French revolution influenced, and is still influencing—European affairs—that there was on our part due to the existing authorities in America a large measure of deference in the difficulties which they had to encounter. At the same time it was natural to feel, what I would not attempt to disguise, the greatest respect for those Southern States, who, representing a vast population of men, were struggling for some of the greatest objects of existence—*independence and power*. It appeared to me that the course which Her Majesty's Government had apparently resolved upon was one which, on the whole, was honourable to this country, and would prove beneficial to all classes of the community. I was therefore surprised, and, individually speaking, somewhat mortified, when I found that in the course of the autumn Her Majesty's Government commissioned one or two of their members to repair to the chief seats of industry in the country to announce, as I understood it, an entire change in the policy which they had throughout supported and sanctioned. It was not an accident; the declaration was made formally, and it was made avowedly with the sanction of the Government. If that declaration meant any thing, it meant that the Southern

States would be recognized; because, if it be true that they have created armies, navies, and a people, we are bound by every principle of policy and of public law to recognize their political existence. There appeared to me to be a great inconsistency in that declaration. I thought that a course of conduct was then recommended by the Government which nothing had occurred in the interval to justify. It is most inconvenient that, upon a subject of such importance, and upon which the Government appeared from the first to have taken up a correct and dignified position, the Government should have exhibited such contradictory conduct, and such conflicting opinions, and that during the autumn they should have felt it their duty to communicate this vacillation of purpose, and this inconsistency of judgment to the whole nation. At the commencement almost of the struggle we were told by one minister, who, above all, ought to be best informed on these topics, what, in the opinion of the Government, were the motives of this civil war. We were told that on the part of the North there was a desire to establish dominion, and on the part of the South to achieve independence. It may have been discreet, perhaps, on the part of the Government to make that public declaration of their opinion; but what are we to say of the subsequent definitions of this contest which have also been supplied by the Government? It is only a fortnight since one of the Cabinet ministers told us that the whole cause of this war was the existence of slavery, and he vigorously denounced that pestilent institution. What agreement is there, then, between the President of the Board of Trade and the Foreign Minister, who ought to be the greatest authority on matters of this character? What are we to say when one day we find an eminent member of the Cabinet recommending the recognition of Southern independence, and the next day another equally important colleague telling us that none of the conditions on which independence should be recognized, exist in the South? These varying opinions are so prevalent among the members of the Government that only a day or two ago one of them, not yet admitted to the Cabinet, but whose lips are steeped in the gravity of the Privy Council, told us that in the opinion of the Government the 'Lord of Hosts was on the side of the Southern States.' I think it very much to be regretted that the Government did not adhere to that reserve which distinguished them last session upon this great subject, and that it is much to be deprecated that, unless a change has taken place in their policy, there should not have been more silence during the recess as to their individual opinions."

Another topic, upon which Mr. Disraeli entered somewhat more fully than it had been dealt with elsewhere, was that of the operations of our military force in China. He desired to have some information as to what was going on in that quarter, and as to the employment of British troops between the Emperor of China



and his rebellious subjects. He wanted to know whether this was a policy which the House approved of. If we were to support the Emperor against the Taepings, we might be involved in another Chinese war, and with such a policy there could be no reduction of the expenditure. The House had been promised special papers relating to the affairs of Denmark, Italy, and Greece. On the latter subject especially he thought much information might be required from Ministers, especially in regard to the policy pursued by Earl Russell towards Turkey. Against the proposed surrender of the Ionian Islands to Greece Mr. Disraeli argued with great vehemence, contending that the view of those who regarded the right of this country over those islands as being merely a protectorate, was entirely fallacious.

"This," he said, "is very dangerous ground to take; and I most earnestly recommend the House to pause before they accept representations of this kind. The treaties of 1815 entrusted the Ionian Isles to England about in the same manner that they entrusted Paris to the French people. Both parties possessed what was entrusted to them. We possessed the Ionian Isles before the treaties of 1815, and it becomes us to consider how we possessed them. We possessed them by conquest; and the question immediately arises why were they conquered? You do not conquer places out of mere wantonness or for amusement. The Ionian Isles were conquered, because the great men, to whom was entrusted the duty of guarding British interests and maintaining British power in those waters, represented most earnestly to the English Government that they could not accomplish their behests as long as these insular harbours were in possession of our powerful rival and enemy. It is, or it should be, well known, that the occupation of the Ionian Isles by the French was part of the secret negotiations of Tilsit, and it was only in consequence of an arrangement with Russia, before war was declared between that power and England, that French troops were landed from Russian ships on these islands, where the injurious influence exercised by them during the war upon British shipping and British interests was so great, that no less a man than Lord Collingwood impressed upon the British Government that it was absolutely necessary that these harbours should be in our possession. And they were in our possession. Corfu was not seized in a military sense; but six of these islands, including Cephalonia, which was described by Sir C. Napier—no mean authority on this subject—as possessing the most considerable harbour in the Mediterranean, had been conquered, and had been five years in the possession of England at the time of the peace. And why was not Corfu in our possession? Why, Corfu was a thorn in our side. We had not succeeded in taking Corfu, but we had strictly blockaded it, and when Napoleon suddenly fell, the French surrendered it to England by a military convention. It was in every sense a military surrender; and, therefore, when the Congress of Vienna

had to deliberate upon the settlement of Europe, we were in military possession of these islands, which we had in fact conquered and occupied, because in the possession of our enemy we had found them most injurious to our power and our interests."

Mr. Disraeli proceeded to contend that the gift of these islands to Greece would have a mischievous influence upon that power, whom it would stimulate to seek a further extension of territory, and to make aggressions upon the Turkish power, and thus disturb the peace of the world. In this respect it would be a strong instance of that policy which the present Government had on recent occasions most strongly reprobated. As to the conditions by which it was said the proposed cession was to be limited, Mr. Disraeli denied that any adequate security could be obtained for the observance of those conditions. He hoped that Her Majesty's Government were not about to adopt the wild notions which had of late been promulgated, which were hostile to the very principle of the British Empire. Mr. Disraeli plainly stated his own views as to the motives by which statesmen should be guided in regard to the acquisition and the retention of territory. "Professors and rhetoricians find a system for every contingency and a principle for every chance; but you are not going, I hope, to leave the destinies of the British Empire to prigs and pedants. The statesmen who construct, and the warriors who achieve, are only influenced by the instinct of power, and animated by the love of country. Those are the feelings and those the methods which form empires. There may be grave questions as to the best mode of obtaining wealth—some may be in favour of protection of domestic and colonial interests, some of unrestricted competition, or some of what I am quite surprised have now become so modish—commercial treaties and reciprocal arrangements for the advantage of commercial exchange—propositions which used to be scouted in this House; but there can be no question either in or out of this House that the best mode of preserving wealth is power. A country, and especially a maritime country, must get possession of the strong places of the world if it wishes to contribute to its power. I cannot say that I have yet heard any argument that appears to justify the course Her Majesty's Government have hitherto pursued, or the expectations they have held out to the Greek Islands." He concluded by expressing a hope that as the arrangement in question appeared to be not yet matured, circumstances might arise which would prevent it from being carried into effect.

The same argument against the cession of the Ionian Islands was urged with much earnestness by Mr. Seymour Fitzgerald, and by some other speakers in this debate. But they received an effective answer from members on the other side, and especially from Lord Palmerston, who clearly distinguished the case in question from the alleged historical parallels cited by his opponents—"Mr. Disraeli had said that the Ionian Islands were, by the treaty of 1815, placed under the British Crown in the same way as Paris

was placed under France. The right hon. gentleman is not a man who speaks in this House without knowing what he is saying. He knows the value of words and the nature of things; but I was astonished at his making an assertion of that kind. Compare it to Piedmont and to the Prussian Rhenish provinces! Why he himself stated that which negatived that general assertion. The Ionian Islands were, as he said, six of them, occupied militarily by a British force at the time of the termination of the war, and Corfu surrendered at the downfall of Napoleon. But their fate was determined, like the fate of many of the countries of Europe, by the treaties concluded in 1815; and to those treaties, and especially to the treaty in regard to the Ionian Islands, Great Britain was a party. Well, what did that treaty do? Did that treaty say that the Ionian Islands were to be what the right hon. gentleman stated—a British territory, and to belong to the British Crown as one of its possessions? Quite the contrary. It stated that the Septinsular Republic was to be a separate and independent State, but, as a separate and independent State, was to be placed under the protection of the British Crown. But it is no part of the dominions of the British Crown. The Queen is not Sovereign of the Ionian Islands. Our treaties do not include or bind the Ionian Islands. When a treaty of commerce is made, there must be a separate act on the part of the Ionian Islands to give them the benefit of that treaty. They have a separate Legislature of their own; we do not make laws for them. They are to all intents and purposes, literally and legally, a separate State, forming no part of the British territory or dominions, but under the protection of England, by virtue of the treaty concluded between England and the other great Powers of Europe. Therefore, all the argument of the right hon. gentleman, founded on the supposition that Corfu and the other Ionian Islands were to England what Paris is to France, is, if he will allow me to repeat his own words, a ‘perfect absurdity,’ and has no bearing whatever on the question which the House may have to consider with reference to these islands. It is not now the time to discuss the policy of making that cession under the circumstances contemplated by the paragraph in the Queen’s Speech. My own opinion is that it would be a wise measure. I think it would be a generous measure. I think it is due to that Ionian State, which was placed under our protection for its own benefit and not for our advantage. We were bound to do the best for it. I believe we have done the best for it hitherto by maintaining the protectorate; but I think, if Greece is established under an enlightened Sovereign, who will develop her internal prosperity and maintain her external peace, that it will be for the benefit of those islands to be united with their fellow-countrymen. I think, too, that it is an example which may not be lost upon other countries. There are other questions pending in the world, in Europe especially, with regard to which an example of generous disinterestedness on the part of Great

Britain, for the benefit of those whose fate has been committed to her charge, may not be without result, and I trust it may be imitated hereafter."

Adverting to Mr. Disraeli's strictures on our operations in China, Lord Palmerston defended the course that had been pursued. He argued that our policy in China had always been to protect our trade and commerce there, and it had succeeded in turning an enemy into a friend. He justified, also, Earl Russell's proceedings relative to Denmark.

With regard to Italy, Rome, and the Pope, Lord Palmerston explained the circumstances under which the offer was made by Mr. Odo Russell to the Pope of an asylum at Malta. The fact was that the matter originated with the Pope, who sent for Mr. Russell and asked him whether, in the event of his being compelled to leave Rome, he would be received and protected in England.

Sir G. Bowyer gave a different version of the communication between the Pope and Mr. Odo Russell in regard to the offer of an asylum to His Holiness at Malta. He denounced with much warmth the political changes that had taken place in Italy, and insisted that the Romans knew that they were better off than their neighbours of the Italian unity. "The British Government had produced, through their influence, a state of things in Italy which was not liberty but enslavement, and they would be cursed eternally for it. When, he should like to know, was Italy great? Was it in the days of her unity? It was rather in the days of the Medicis—(cries of 'Borgia!') Would hon. members, because there happened to be one bad man, ignore the glories of Florence, Venice, and Genoa, and the great artists and poets which Italy, though not united, produced? The greatness of Italy, he for one should maintain, was due not to unity, but to the national development and the municipal liberty fostered by individual States. He would go further and say that the unity which would be the result of placing the whole country under the iron heel of Piedmont, would turn out to be to Italy not a blessing but a curse. The noble lord at the head of the Government seemed to imagine that the Roman people were entirely opposed to the authority of the Pope, but in that opinion he was grievously mistaken, and if the French garrison were withdrawn from Rome to-morrow, and the Piedmontese prevented from taking possession of it by military force, the rule of the Pope would, he felt assured, be as safe as that of Queen Victoria was in England. Indeed, the sole reason why it was expedient to keep a French garrison in Rome was, because she had at her gates a piratical Government which knew no respect for law."

Mr. Hennessey likewise denounced in strong terms the conduct which the British Government had pursued towards the Papal power. The same hon. Member also called attention to the unhappy condition of Poland, for which, he said, Great Britain was



responsible. We were bound, in his opinion, by treaty to protect the Poles. He hoped that the question would find other opportunities for discussion during the present session.

Another topic which was urged on this occasion upon the notice of Government was the distress existing in Ireland, to which attention was earnestly called by Mr. Maguire, Sir T. O'Brien, Mr. Hennessey, and other representatives of that country. A succession of wet seasons, it was stated, had greatly diminished the production of the soil, and had involved all classes connected with agriculture in great difficulties. It was declared that every indication showed the decline of prosperity. The population had diminished. The money spent in works of a reproductive character had decreased; the quantity of live stock, the acreage of land under cultivation, the money in the Savings' Banks, were all in course of reduction. Mr. Maguire unhesitatingly stated that the distress then existing in Ireland was much worse than that of Lancashire, and that in its existing condition Ireland was a source of danger to the empire.

Lord Palmerston took notice in his speech of these painful representations, which, it may be observed, received confirmation from the Chancellor of the Exchequer some weeks afterwards in his speech upon the Budget. The noble Viscount now said:—

“There is no doubt that Ireland has had three bad years, and no country can endure that without suffering. My information, however, does not go so far as some of the statements which have been made to-night. I am told that the potatoes and oats were not generally bad in Ireland last year. The people were also able to save their turnips. The crops were certainly shorter than the average, and doubtless there is a good deal of pressure in many parts of the country. I think, at the same time, that some of the assertions which have been made are exaggerated, and, at all events, the appeal which has been made for a grant of money for public works would require to be supported by stronger evidence of its necessity than we have yet received. It is impossible that English members should not feel deeply for the miseries of any portion of the inhabitants of the United Kingdom. We sympathize as heartily with the sufferers in Ireland as with those in Lancashire. There is, however, this distinction between the two cases, that the misfortune in Ireland is due to natural causes, such as the unfavourable nature of the seasons; while that in Lancashire is the result of human causes, which are beyond our control.”

The Address to the Throne was agreed to, as in the other House, without any opposition.

One of the first proceedings of the session was to make provision for an establishment for the Prince and Princess of Wales upon their approaching marriage. A Message from the Queen having been communicated in the usual form to both Houses, an

Address was moved and seconded in both, assuring Her Majesty of a prompt and willing consideration of her request, and two days afterwards the Prime Minister proposed the necessary Resolutions in the House of Commons. After dwelling upon the advantages possessed by this country in its free Constitution—advantages which he trusted the nation would continue to enjoy under the mild sway of its Sovereign—he declared his persuasion that the proposal it would be his duty to make would be readily acceded to by the House and approved by the country. Adverting to the provision made in times gone by on similar occasions for Princes of Wales, and particularly to the sum granted in 1795 to the then Prince of Wales—which, including a sum set apart for the payment of his debts, amounted to 138,000*l.* a year—he remarked that it was not the desire of the Government or of Her Majesty that the present application should reach that amount. In former reigns the revenues of the Duchy of Cornwall were added to the available income of the Crown, whereas in the present reign those revenues, with the accumulations, had been set apart for the Prince of Wales when he should come of age. Part of this fund had been invested in the purchase of an estate, but after all deductions the actual probable income of the Duchy of Cornwall, with the accumulations, amounted, in round numbers, to 60,000*l.* a year. The Government thought that 100,000*l.* a year would not be disproportioned to the exalted station of the Prince of Wales, and he therefore proposed to the House to grant 40,000*l.* a year in addition, out of the Consolidated Fund, for the establishment of the Prince and Princess of Wales, and that a separate allowance of 10,000*l.* a year should be made to the Princess of Wales, making a charge of 50,000*l.* a year upon that fund. He proposed further that a jointure of 30,000*l.* a year should be secured to the Princess in the event of her surviving her husband.

The arrangement proposed by the Government was admitted on both sides of the House to be reasonable and moderate, and the Resolutions being agreed to *nem. con.* were afterwards embodied in a Bill, which speedily passed through both Houses and received the Royal assent.

The alacrity which Parliament showed in thus making provision for the Royal union, was only in accordance with the universal feeling of satisfaction which this event occasioned throughout the nation. Many circumstances combined to make the marriage of the heir to the throne—an occurrence at all times calculated to excite loyal emotions—peculiarly acceptable to the public. The prospect of a direct succession in the line to which the nation owed so many benefits; the hope that such an event would, more than any other, tend to alleviate the deep sorrow of the Queen; the warm personal interest taken by the nation in all the members of that royal household whose training and education it so cordially approved;—these causes alone would have



sufficed to render the marriage generally popular. There were also other circumstances which made the Prince's choice acceptable. The alliance with Denmark,—a country to which the British people entertained a friendly regard,—the prevalent report, in this case not exaggerated, of the beauty and engaging qualities of the young princess; above all, the total disconnexion of this alliance with state interests and with those indirect political aims to which the domestic happiness of princes has been too often sacrificed, recommended this match,—which was generally believed to be one of pure mutual affection,—to the favour of the nation. The result was that not only from one end of the kingdom to the other, but even throughout the widely separated dependencies of the Crown, among all classes, parties, and denominations of men, this event became the signal for an outburst of loyalty probably unexampled for its universality and heartiness since the present dynasty has filled the throne. It belongs to another department of this work to record in detail the ceremonies and pageants, the revels and festivities to which this happy event gave occasion,—the cordial and interesting reception of the royal bride at Gravesend, her brilliant entry into the metropolis, the magnificent ceremonial of the nuptials at Windsor, and the innumerable and varied demonstrations by which the public manifested their delight both in the capital, and in most of the cities, towns, and villages of the kingdom. Every where the people revelled in their loyalty, and laid aside for the moment the grave cares and business of life to participate in the general enthusiasm. Every form of celebration that ingenuity could devise, balls, masques, banquets, illuminations, bonfires, processions, pageants, were adopted, as the taste and feeling of each locality dictated, but the same spirit animated all. For the most signal feature of these rejoicings was their entire spontaneousness; there was no dictation, nor even suggestion, from authority; the public took the matter into their own hands; all was the work of voluntary zeal and overflowing private liberality. It was gratifying to observe that amidst the general rejoicings the claims of the humble and necessitous classes were not forgotten. Dinners and entertainments to the labouring poor, to the children of the National Schools, to the recipients of parochial relief, and to the distressed operatives in the manufacturing districts, formed no unimportant part of the local festivities.

The same feeling of enthusiasm which had been manifested before the marriage, was exhibited on every occasion on which the royal pair, or either of them, afterwards appeared in public. The Princess was every where hailed with cordial expressions of admiration and good will. Her beauty and the graces of her manner won all hearts that came within the sphere of her influence, and the efforts that were made whenever she went abroad to catch even a transient glimpse of her fair face, evinced a truly chivalrous spirit of loyalty. The Prince also, as he became better known, was cordially appreciated, and received many tokens of public

favour and respect. Altogether, there could scarcely be a more hopeful prospect for the British throne than this auspicious marriage appeared to loyal subjects to foreshadow.

Meanwhile it was consolatory to learn that the Sovereign herself, towards whom, throughout all these rejoicings at the happiness of her son and daughter-in-law, the affectionate attachment of the people was especially manifested, was gradually emerging from that heavy cloud of dejection and grief which had for a time almost overwhelmed her. Her presence at the Royal marriage, though but as a spectator of the scene, indicated her wise resolve to make the painful effort which was needed to enable her to resume those duties from which, in the first crisis of her sorrow, she had naturally shrunk. The public were now encouraged to hope that, under the soothing influence of time and the pleasing excitement of new domestic relations, their beloved Sovereign would be enabled ere long to resume her wonted place of pre-eminence in the eyes and in the interest of her people.

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## CHAPTER II.

State of the Public Finances—Decrease in certain branches of expenditure—Anticipations of a reduction of taxation—The Chancellor of the Exchequer's Financial Statement—Favourable reception of his proposals to lower the Income Tax and Tea Duty—Minor features of his scheme—Unsuccessful attempt to impose licence duty on clubs—Proposal to make charitable endowments liable to Income Tax is met with strenuous opposition—Extraordinary deputations to the Chancellor of the Exchequer on the subject—His powerful vindication of the measure in the House of Commons—Receiving little support and being warmly opposed by the Opposition leaders it is withdrawn by the Government—Discussions on the Income Tax—Modifications advocated by Mr. Hubbard and Mr. Roebuck—The Chancellor of the Exchequer contends for the maintenance of the Tax on its existing footing, and is supported by the House—Military and Naval expenditure—Reduction of one million upon each service—The Army Estimates moved by Sir George Lewis—Debates and divisions—Objections raised to expenditure for Colonial defences and fortifications—Arguments of Mr. Mills, Mr. Baxter, and Mr. Childers—Defence of the Estimates by Sir George Lewis—Comparison between English and foreign military expenditure—Speech of Lord Robert Cecil and answer of the Government—Exposition of the Naval Estimates by Lord Clarence Paget—Mr. Cobden arraigns the amount and cost of our naval force as excessive—Replies of Lord C. Paget and Sir John Pakington—Debates on the preferable mode of constructing iron ships—Mr. Lindsay, Mr. Laird, and other members condemn the plan adopted by the Government—It is vindicated by the Ministers—Resolution moved by Mr. Lindsay is negatived—Motion by Sir John Hey for alteration of pay and retirement arrangements of naval officers—Lord Palmerston moves as an amendment the appointment of a Committee of inquiry, which is agreed to by the House.

THERE being no announcement of legislative changes of importance in the present session, the financial proposals of the Chan-

cellor of the Exchequer were anticipated with more interest than any other Parliamentary event, not, however, that even in this direction much uncertainty was felt, or any novel propositions expected even from so bold and inventive a financier as Mr. Gladstone. The financial situation was such as to afford little scope for variety or experiment. The active measures of the last few years had well nigh exhausted the operations of free trade; duties on imports had been diminished in number and lowered in amount, till there remained scarcely any room for further progress in that direction. Excise duties had been brought down to an equally narrow compass. A very few articles remained upon which any fiscal experiment could be attempted. The department of direct taxation, however, still remained an open field for the operations of the financier. The Income Tax, now become an annually renewed impost, constituted, so long as it should last, a perpetual problem for the Chancellor of the Exchequer; not, indeed, that its removal was regarded as being within the category of possibilities, but the modification of its rate and scale was year by year a matter of speculation and debate. The rates of duty had, in fact, varied within the last few years between the extreme limits of 5*d.* and 14*d.* in the pound, and the amount of the percentage had come to be regarded in the light of a sliding scale, to be adjusted according to the current demands of the public expenditure, or, as it were, a rate-in-aid to make good the shortcomings of the other branches of revenue.

Before the Budget was announced, the public were made aware, both by the Quarterly Revenue Returns, and subsequently by the reductions proposed in the Army and Navy Estimates, that there was likely to be a considerable surplus of income over expenditure. The disposal of this surplus was, as usual, a matter of much and various conjecture, but those who considered the financial history of recent sessions, and the tendency of Parliamentary opinion, had not much difficulty in forming a judgment as to the quarters in which remissions were to be expected. The Tea Duties and the Income Tax appeared to these persons to offer greater inducement to the Chancellor of the Exchequer to operate upon them, than any other branch of the revenue. The policy of lowering the former, one of the highest duties now remaining, had been already sanctioned, and to some extent acted upon by Parliament, though the full relief intended for the consumer had been postponed to the exigencies of war and other expenditure. In addition to this fact, it was not an immaterial recommendation to the reduction of the Tea duty, that the opinion of the Conservative party in favour of that step had been pronounced in a marked manner in the session of 1861, when, as an alternative to Mr. Gladstone's proposed repeal of the excise on paper, a resolution in favour of reducing the duty on tea was moved by a leading member of that party, and received the support of a large section

of the House of Commons. For this reason, as well as upon general grounds of financial policy, a further remission of this duty appeared to be a highly probable operation on the part of Mr. Gladstone. If, in addition to this, the state of the revenue should be such as to afford any further boon to the tax-payer, it was in the direction of the Income Tax that public expectation pointed. The rate of that impost was, at present, such as to occasion a large measure of that discontent which this tax constantly generates, and there were, as was well known, cogent reasons which should make Mr. Gladstone especially desirous to diminish, though it was not possible for him wholly to remove, this fiscal burthen.

Under such circumstances, the leading propositions of the Financial Statement, which was made on the 16th of April, occasioned no surprise, and appeared likely to excite very little opposition. The prospect of cheapened tea and of an Income Tax reduced to Sir R. Peel's original rate of 7*d.* in the pound, was welcomed throughout the country with much satisfaction. There were, however, some other features in the Budget which gave rise to more variety of sentiment and afforded matter of controversy to the opponents of the Government in the House of Commons.

The general survey of the financial and commercial condition of the kingdom which Mr. Gladstone took in laying his plans before the House afforded, beyond all question, abundant grounds for congratulation. That in spite of many adverse circumstances and heavy drawbacks, such as the American Civil War, the extensive stoppage of manufactures at home, and the serious falling off of agricultural production in Ireland, the revenue should still exhibit buoyancy, and the returns of our foreign commerce should still be favourable, was a result which the most sanguine could scarcely have ventured to anticipate, and which afforded ample proofs of the soundness of our industrial and commercial system. Upon this part of the case Mr. Gladstone's statement was peculiarly interesting:—

“The account of receipt and expenditure for the last year which we have now to invite you to consider is, I think, a remarkable and hopeful account. But in order to judge whether it is really, and how far, remarkable and hopeful, it is absolutely necessary to have regard to the specialties in the state of the country. I do not now refer simply to the fact that the harvests have now for a series of three years been in no instance equal to an average yield; but I refer to two causes, both special in their character. There is, in the first place, the condition of the Lancashire cotton manufacture. Towards that Lancashire to which up to this time every Englishman has referred, if not with pride, yet with satisfaction and thankfulness, as among the most remarkable, or perhaps the very most remarkable of all the



symbols that could be presented of the power, the progress, and the prosperity of England—towards that Lancashire we feel now more warmly and more thankfully than ever in regard to every moral aspect of its condition. The lessons which within the last twelve months have been conveyed, if in one aspect they have been painful, and even bitter, yet in other aspects, and in those, too, which more intimately and permanently relate to the condition and prospects of the country, have been lessons such as I will venture to say none of us could have hoped to learn. For, however sanguine may have been the anticipations entertained as to the enduring power and pluck of the English people, I do not think that any one could have estimated that power of endurance, that patience, that true magnanimity in humble life, at a point as high as we now see that it has actually reached. But, Sir, with respect to the material condition of Lancashire, no doubt for the time the tale we have to tell is a melancholy one. It was my duty, so menacing did we regard the state of the case twelve months ago, to state frankly to the Committee, in presenting the Estimates of the year, that we had before us a deficiency in the supply of the material of labour in Lancashire of so alarming a character that if it continued throughout the year we could not presume to say that our estimates would be justified by the result; that the case was so serious\* that it was useless for us at that time to pretend to ask the House to make such provisions as might be adequate to the calamities which were impending over us; and that consequently we thought it best to wait for the teaching of experience, and to meet the evil when it arose. Now, the anticipations of that evil were founded on the supposition that the scarcity would continue at the point which it had then reached; but what has been the fact? The scarcity has not only continued at that point, but, unhappily, it has proceeded much further. The price of cotton, which I quoted to the Committee last year as having been in the spring of 1861—the price of those which are commonly taken as the average descriptions of American cotton—viz., the Upland and the New Orleans, which in the spring of 1861 had been between 7*d.* and 8*d.* per pound, had risen at the time at which I spoke to between 13*d.* and 14*d.* per pound. And that was the state of things which we regarded as so formidable to the revenue of the country. But in the course of the last autumn that high price was nearly doubled; and at this very moment, as I find from the latest quotations, the price of the cotton required to carry on our manufactories, and which usually sells at 6*d.* or 7*d.* per pound, has risen to 24*d.* and 25*d.* per pound. So that the calamity which has befallen Lancashire, viewed in its material and commercial aspects, has not only continued at the point it then reached, but has become far more severe. It has attained, undoubtedly, a degree of most afflicting stringency; and the partial and temporary mitigations

which have arisen—and, thank God! they have arisen—during the last few weeks, do not, I am afraid, warrant us in entertaining any sanguine hopes for the immediate future. And yet it is with, I may almost presume to say, the wealthiest portions of the country, and with perhaps the very wealthiest portion of its labouring population, in that condition of prostration and stagnation, that the balance-sheet which I am about to present to the Committee has been arrived at. The other special cause of depression is one which has been little mentioned in the House, but it is one which I think the Committee will agree with me I should not be justified in altogether overlooking,—it is the state of Ireland, and I very much doubt whether the British public has been awakened to the depression which during the last few years has befallen that portion of the United Kingdom. That depression is no doubt partly balanced by the favourable condition of the linen manufacture, and is not concentrated and driven to an extremity at a local point, like the distress in Lancashire. It is diffused over the surface of the country, its extent is as broad as the agricultural area, and it is exclusively connected with the failure of the crops. But it will be a matter of peculiar interest to the Committee to receive the information which Her Majesty's Government have received with regard to the extent of the failure in Ireland of late years. Her Majesty's Government have caused statements to be carefully drawn up, as far as they are able, to exhibit the facts of the case, and I need hardly remind English and Scotch members that with respect to Ireland they have the peculiar aid of a very highly organized and elaborate system of agricultural statistics carried on by public authority. I shall avoid all details; it is enough for me to present a single statement, only endeavouring to convey to the Committee a clear view of the basis on which it is founded. The statement refers to the crops of the last three years, 1860, 1861, and 1862, and the standard of comparison is with the crops of the preceding four years, from 1856 to 1859. Up to 1859 we have the consolation of believing that the state of Ireland was one of steady and even of remarkable progress. In 1859 that progress was materially checked, but still the four years I take as representing what I may call the normal or average condition of Irish agricultural wealth are from 1856 to 1860. The mode of estimating has been this: the three principal crops are taken—the oats, wheat, and potato crops—and then an attempt is made to estimate the value of the residue of the principal agricultural products of the ground by ascertaining the number of the head of stock, valuing them at the prices which are known to have ruled during the period, and assuming that one-third of the total value of the stock of the country represented the annual return of stock. That may be perfectly correct, or slightly incorrect, but at any rate it seems quite sufficient for the purpose of comparison. Now the amount of these four items—the oats, wheat, potato crop,



and one-third of the actual value of the live stock—was, from 1856 to 1860, on an average, 39,437,000*l.* per annum. In 1860-61 it fell to 34,893,000*l.*, a decrease of 4,550,000*l.* In 1861-62 it fell to 29,077,000*l.*, a decrease of 10,360,000*l.* In 1862-63, low as was the previous point, it descended yet lower, and fell to 27,327,000*l.* from an average of 39,437,000*l.*, showing a decrease of somewhat above 12,000,000*l.*, nearly one-third of the total value of the estimated agricultural products on the principal items or constituents of agricultural wealth, and not very far short of the full amount of the established annual valuation of the country, which is 13,400,000*l.* Now that was a very remarkable state of circumstances in Ireland, and I may mention, as a fact, that in all cases, the first effect of pressure on the labouring classes is to tell on the consumption of strong liquors. It was no wonder that under these circumstances the consumption of spirits, which in Ireland was in 1861-62 2,463,000 gallons, fell in 1862-63 to 2,292,000 gallons, a decrease of 171,000 gallons. Now the operation of these two special cases, the one in Lancashire and the other in Ireland, must certainly be to deprive the revenue of the country of a very large amount which under other circumstances it would have received. It is not for me to estimate that amount; but it is quite essential that we should bear circumstances of so unusual a character in mind when we form our judgment on the actual revenue and expenditure of the country during the year just expired."

Mr. Gladstone then proceeded to compare the estimated amount of the expenditure of the last year with the actual amount. The estimated amount had been 70,108,000*l.*, the actual expenditure was 69,302,000*l.*—less than the estimate by 806,000*l.* The estimated revenue was 70,050,000*l.*, the actual produce was 70,603,000*l.*, showing an excess of 563,000*l.*—not a large excess if considered absolutely, but very large if considered in relation to the actual circumstances of depression before adverted to. The Customs exhibited, after all remissions of duties, and notwithstanding all adverse circumstances, an increase of 484,000*l.*, and the income tax an excess of 467,000*l.* over the estimate. On the other hand, the Excise showed a deficiency, as compared with the estimate, of somewhat over a million, which was due to the two articles of malt and spirits—the representatives, as they might be considered, of the distress weighing upon the labouring classes. A comparison of the revenue of the last year with that of the year preceding would also show a satisfactory result. Making some deductions which were necessary to the fairness of the comparison, Mr. Gladstone stated that the total revenue for the year 1861-2 might be taken at 66,985,000*l.*, for the year 1862-3, 67,790,000*l.*, showing an increase of 805,000*l.*, not a large amount in itself, but such as he could never have ventured to anticipate twelve months before, had he been aware of the severe distress which was to continue, and to be aggravated, in Lancashire and in Ireland. Mr. Gladstone then stated the estimated amount of expenditure and revenue for the

current year. The estimated charge (subject to further adjustments) was as follows:—

|                             |             |
|-----------------------------|-------------|
| Interest on debt . . . . .  | £26,330,000 |
| Consolidated Fund . . . . . | 1,940,000   |
| Army . . . . .              | 15,060,000  |
| Navy . . . . .              | 10,736,000  |
| Revenue charges . . . . .   | 4,721,000   |
| Miscellaneous . . . . .     | 8,962,000   |
|                             | <hr/>       |
|                             | £67,749,000 |

The estimated revenue was as follows:—

|                           |             |
|---------------------------|-------------|
| Customs . . . . .         | £24,180,000 |
| Excise . . . . .          | 17,600,000  |
| Stamps . . . . .          | 9,000,000   |
| Taxes . . . . .           | 3,160,000   |
| Income Tax . . . . .      | 10,500,000  |
| Post-office . . . . .     | 3,800,000   |
| Crown Lands . . . . .     | 300,000     |
| Miscellaneous . . . . .   | 2,500,000   |
| China Indemnity . . . . . | 450,000     |
|                           | <hr/>       |
|                           | £71,490,000 |

The difference between these estimates was a surplus of revenue over the charges of 3,741,000*l*. Before stating the mode in which it was proposed to deal with this surplus, he specified certain additions to the revenue. He proposed to equalize the duty on chicory and coffee, and to place upon an equal footing certain taxes upon licences, removing anomalies therein and making Clubs liable to the duties payable for the sale of wine and spirits, and withdrawing the exemption under the Income Tax Acts of corporate trust property and charitable endowments. These additional taxes would amount to 133,000*l*. a year, raising the estimated surplus to 3,874,000*l*. He then stated the manner in which it was proposed to apply this amount in the remission of taxation. He proposed, he said, to repeal the petty charges upon mercantile transactions, including the stamp upon bills of lading. With respect to the minor incomes now liable to income tax, the limit at which the full tax should attach had been fixed by Mr. Pitt at 200*l*. a year. Since then the limit had been carried down to 150*l*. and to 100*l*. Nineteen out of twenty of the numerous complaints which now reached him, proceeded from persons whose incomes fell between 100*l*. and 200*l*. a year. The Government now proposed to give a relief to this class of contributors, which, if it did not square with exact mathematical justice, would, he believed, meet the equity of the case, and afford a seasonable mitigation of the pressure now complained of. He proposed to retain 100*l*. as the minimum limit at which the tax should begin, to abolish the present double rate and have

only one rate, but to allow persons having incomes between 100*l.* and 200*l.* to deduct 60*l.* from their taxable income. The effect would be, he believed, to remove most of the sore points in the working of the tax. The result would be this:—On an income of 100*l.* the tax was now 2*l.* 10*s.*, under the new system it would be 1*l.* 10*s.* On an income of 125*l.* it would be 2*l.* 8*s.* 9*d.*, instead of 3*l.* 2*s.* 6*d.* as at present; on an income of 150*l.*, 3*l.* 7*s.* 6*d.*, instead of 5*l.* 12*s.* 6*d.*; and on an income of 175*l.*, 4*l.* 6*s.* 3*d.*, instead of 6*l.* 11*s.* 3*d.* With regard to the tea and sugar duties, it appeared to the Government that whatever they did they ought not to divide the reduction into two parts; it therefore became a question between tea and sugar. He compared the arguments for and against the claims of each, observing that the question of the sugar duties was one of great complexity, and that the most important argument in favour of tea was that the present duty was more than 100 per cent. on the value of the article, whereas the duty on sugar was only half the value. Moreover, by reducing the duty on tea, a more considerable reduction would be made in the price to the consumer than by a similar operation upon sugar. The proposal of the Government was, therefore, to reduce the duty on tea to 1*s.* the pound, and that the reduction should take effect immediately after the Resolution had been adopted by the House. It was proposed to continue the sugar duties only till next year. The result of these remissions, and of a reduction of 2*d.* in the pound in the general rate of the income tax, would be a loss of revenue to the following amount:—

|                                    |            |
|------------------------------------|------------|
| The small charges . . . . .        | £143,000   |
| Minor income tax . . . . .         | 300,000    |
| Tea duty . . . . .                 | 1,300,000  |
| The general rate of income tax . . | 1,600,000  |
|                                    | <hr/>      |
|                                    | £3,343,000 |

The surplus of revenue being 3,874,000*l.*, and the loss by remission of taxation 3,343,000*l.*, there still remained a surplus of 531,000*l.*, which the Government did not propose to part with, and he appealed to the Committee to support them in retaining this amount in their hands.

These were the financial proposals of the Government; but before he took leave of the subject the Chancellor of the Exchequer craved the attention of the House to some statements which he desired to make respecting the progress of certain important branches of trade, and the results of some portions of recent financial policy. In the first place, with regard to the paper duty, the right hon. gentleman said that, although the effect of a repeal of an excise duty was in general gradually developed, the result of this remission had been hitherto satisfactory. The import of foreign paper had risen from 15,767 cwt. in 1856, to 193,639 cwt. in 1861. What was still more gratifying was that the manu-

facture of British paper had considerably increased. In the first year after the repeal of the duty, the quantity exported had increased by 34,000 cwt., and with regard to rags, an article about which so much alarm had been expressed, lest the supply should wholly fail, it appeared, on the contrary, that the quantity imported having been in 1856 only 10,287 tons, and in 1860 10,827 tons, in 1862 it rose to no less than 23,943 tons. As respected wine there had been an increased import of 109,000 gallons, and an increased revenue of about 30,000*l*. The augmentation had been chiefly in Spanish wines. French had slightly decreased. With regard to our trade with America, that was a question of painful interest to this country on account of its bearing upon our own manufactures and our trade with France, the results of which were highly important, as this was the first time when it could be said that the Commercial Treaty had been a full year at work.

Mr. Gladstone stated the results as follows:—

“The export of British goods to the United States in 1859 was 22,553,000*l*.; in 1862 it was 14,398,000*l*., showing a decrease of 8,154,000*l*. The export of foreign and colonial goods to the United States had in the mean time increased. They were in 1859, 1,864,000*l*., in 1862 they were 4,052,000*l*., an increase of 2,188,000*l*., but nearly the whole of that increase was represented by the article of cotton wool taken from this country to the United States, which was no less than 1,721,000*l*. The case of our trade with France is very different. In 1859, the last year before the treaty, the export of British commodities to France was 4,754,000*l*.; in 1860, when the treaty was in very partial operation, indeed, the exports were 5,250,000*l*.; in 1861, when the treaty took effect towards the close of the year, they rose to 7,145,000*l*., without including the article of corn, which made a further increase; but as it was entirely due to the casualty of a bad harvest in France, whereas there was a great supply from foreign markets in this country, it would disturb the calculation if I took that into account. The exports rose to 7,145,000*l*., showing an increase of 2,391,000*l*., and in 1862, with the treaty in operation all the year, they again rose to 9,210,000*l*., showing an increase of 4,456,000*l*.; in point of fact, doubling their amount before the treaty. That does not set forth the whole of the advantage, because in foreign and colonial produce the augmentation was yet more remarkable; for I need not remind the Committee that the foreign and colonial produce that we send to France we have ourselves obtained by exchange for British produce, so that increase in the export of foreign and colonial produce is effectively an increase in the export of British manufactures. The foreign and colonial produce sent to France in 1859 was 4,800,000*l*., and in 1862, 12,614,000*l*. The total amount of exports to France, which in 1859 was 9,561,000*l*., had in 1862 gone up to 21,824,000*l*. In fact, while we had a decrease in the total trade to the United States of 6,618,000*l*., that decrease was a great deal more than



made up by the increase in the trade to France, for the augmentation was 12,265,000*l.* The effects of the cotton famine upon our general trade of course it is impossible for us to mitigate, so far as I know, by legislation; and I took the opportunity in 1861 of showing the immense stimulus that had even then been produced to the total trade of the country by the reduction of Customs' duties in the former year, and now in 1863 I am able to point to results operated by the arrangements made by France, under the able management of my hon. friend the member for Rochdale, and I confidently put it to the Committee to justify Her Majesty's Government in the opinion they entertain that it was a matter of vital consequence that we should endeavour to apply to the trade and industry of the country that stimulus which we believed and knew would be given through the medium of judicious reduction and abolition. It is quite true that in 1860 we were obliged to have an additional 1*d.* of income tax because of those reductions, but I think it was worth having that additional 1*d.* when we consider that the effect of that legislation has been that in this period of severe trial to the industry of the country, not millions only, but tens of millions of that industry, have in all probability been put in motion and kept in motion owing to the legislation then adopted."

In conclusion, Mr. Gladstone requested the attention of the House to the results of an estimate he had formed, after careful calculation, as to the increase which had taken place in the taxable wealth of the country, during the nineteen years which had elapsed since the first imposition of the income tax. "In order to be as accurate as possible, I do not compare the entire income tax of 1862 with that of 1843, but I compare the income tax minus that portion of it which only represents public taxation, because it is quite plain if we have several millions added to the income in England from public establishments, that does not represent additions to the real wealth of the country. Therefore I take schedule A as representing property, railways, mines, &c.; B as representing farming profits; D as representing commerce and professions; and so much of E as belongs to private establishments; that is the basis or area of taxation. I exclude altogether Ireland, because Ireland was not taxed in 1842, and would, therefore, disturb the computation. I also exclude incomes below 150*l.* for the same reason. The income tax, at 7*d.* in the pound in 1842, attaching to Great Britain only, and only to incomes above 150*l.*, was assessed upon an amount of income reaching 156,000,000*l.* Upon the very same area, with the same limitations, in 1861 the amount of assessed income was 221,000,000*l.*, and I am not aware that there has been any change in the machinery of the tax, or any improvement in the powers of levying the tax, as compared with the powers of escaping it, that will in any way account for the difference. The difference amounts to no less than 65,000,000*l.* of annual income, or two-sevenths of the whole annual taxable income of the country, in the area described. That is a most remarkable result, but there is a feature of that result which, when carefully examined, is yet more remarkable,

and that is the accelerated rate of increase in the last year. I again invite the attention of the Committee for two minutes. I compare the two periods before 1853 and since 1853, when the basis was altered. In ten years, from 1842 to 1852 inclusive, the taxable income of the country, as nearly as we can make out, increased by 6 per cent.; but in eight years from 1853 to 1861, the income of the country again increased from the basis taken by 20 per cent. That is a fact so strange as to be almost incredible. If I may presume to suggest a cause, I would suggest two—first of all the enormous, constant, rapid development of mechanical power, saving human labour, and the extension of machinery; but that has been in operation during the last 100 years, extending on all hands the economy of labour; the real and new cause that has been in operation has been the legislation of Parliament setting free the industry and intelligence of the British people.”

This great increase of wealth had not redounded to the interest of the richer classes alone; he had reason to believe that the average condition of the British labourer had improved during the last 20 years in a manner scarcely to be paralleled in the history of any country.

Mr. Gladstone finally expressed his earnest hope, that the diminution of the public burdens, which he had now been able to propose, would be regarded by our foreign neighbours as indicative of our desire to reduce what M. Fould had recently described as an “expenditure of emulation;” and that other nations would be induced by our example to proceed in the same course of reduction of armaments, thus contributing to strengthen elsewhere the tendencies of peace, order, and civilization, and to allay those unhappy jealousies which had hitherto prevailed among the civilized nations of the world.

The reception of this Budget was in the main highly favourable, both in Parliament and throughout the country. The two important remissions—those of the tea duty and of the income tax—were generally popular, and were acknowledged to be the most acceptable means that could have been adopted for appropriating the surplus revenue. The Conservative party in Parliament offered to these parts of the financial scheme no opposition; they regarded it, indeed, to a considerable extent as an adoption of their own policy. There were, however, some minor features of the financial programme which provoked a formidable hostility, and caused some even of Mr. Gladstone’s usual supporters to regret that he had to a certain extent marred the breadth and simplicity of his scheme by such questionable ingredients. In his anxiety to correct anomalies, the Minister had proposed some modifications of the duties on stage-carriages, and also the extension to Clubs of the licence duties payable by the proprietors of hotels and coffee-houses. The first was really an insignificant matter, and scarcely worthy of notice. It was found that practical difficulties would arise in carrying it into effect, and in a short time it was abandoned. The second, though it

involved a very trivial charge on the Clubs, was an unpopular proposal: it affected an influential class, and it was assailed as being untenable, on the ground upon which Mr. Gladstone had relied in proposing it. He had treated the clubs as establishments for the sale of wines and liquors; whereas it was answered, with much plausibility, that such a view of these social institutions was altogether fallacious; that, in fact, the transaction which it was proposed to tax was merely an arrangement by which an association of gentlemen purchased jointly out of a common fund the wines required for their own consumption. Either the force of this reasoning or the demonstrations of hostile action prevailed, and the licence duty on Clubs was withdrawn.

The Budget, however, as originally announced, had contained another proposition of a more startling character, affecting a large class of vested rights and powerful institutions, and involving considerations of a very serious nature. All the Income Tax Acts enacted since 1842 had contained clauses exempting funds invested for eleemosynary purposes from liability to the tax. The Government now proposed to remove this exemption. The ground upon which this bold measure was advanced was thus stated by Mr. Gladstone in his speech on the 19th April:—

“The consideration of the question of succession duty on corporations brought to the mind of the Government this further remarkable fact, that in this country we have levied during the financial year which has just closed about fifteen millions of hard money in direct taxation, but that every shilling of that money is taken out of the pockets of individuals, and that whatever is held strictly in mortmain, in the hands of corporate bodies, or professes to promote charity, does not contribute one shilling, as I shall contend, to those 15,000,000*l*. I venture to say that is an unjust state of things. It is not fair that the tax-payers of this country, the fathers of families, men labouring to support their wives and children, should pay taxes augmented in order to encourage gentlemen on their death-beds, when they can no longer enjoy the money themselves, to devise ingenious methods of disposing of their wealth, which shall cause their names to be written up in enormous capital letters, and create governors of trusts, who shall meet together at sumptuous dinners from year to year, in order to glorify the pious and immortal memory of the man who has devised this ingenious method of disposing of his property. I am not going to say one word in disparagement of these institutions, except up to the point that they ought not to enjoy that very large amount of positive pecuniary preference at the cost of the general community which is awarded to them by the present state of the law. I refer now to what is the principal part of the whole matter, that when the exemption was first granted the state of the case was very different. At that time the State undertook no direct expenditure for education—one of the main objects of endowed charities. The State undertook no

direct expenditure for the poor—another main purpose of these endowed charities. Far less did the State undertake any expenditure on account of charities themselves. How stands the case now? The votes which are submitted to this House for the present year for those purposes include—for education, 1,111,000*l.*; for the Poor-Law Board, 227,000*l.*; for Universities, 35,000*l.*; and for these charities themselves a little item of 18,000*l.* a year. So that the public are now called upon, not only to have the property of these charities maintained and improved at the cost of the general taxes, without contributing a farthing, but are called upon to provide the expenses of a board, secretaries, clerks, and a considerable establishment, in order to manage charities of this description. There are other points upon which I do not intend to dwell. One is, that it being hardly possible to construe the law, it is obliged to be administered roughly and hand-over-head, as it can best be done. The opinions of law officers come to throw great doubt upon any exemption. If a person leave property for the benefit of the poor of his parish, one would suppose that that is charity. But, no; that is not charity, because it goes in aid of the poor-rate. An infinity of questions of the most perplexed kind arise, and the difficulty in the execution of the law is beyond any thing that can be conceived. I have spoken of the 18,000*l.* a year for the maintenance of the Charity Commission. It is a very useful and beneficial expenditure. But, over and above that, the Revenue Department is at a great expense for the purpose of endeavouring to administer this law. The complexity and minuteness of the claims are indescribable. A single institution has property in forty or fifty, and sometimes in one hundred different parishes, and on each of those properties are charged little bequests and little payments, into the investigation of which it is impossible to enter with the view of ascertaining whether they are for the purposes of charity or not. Therefore, upon the sound general ground that all property ought to contribute to those taxes, which, if they are justly paid, are not a penalty on property, but are the means of keeping property available for the enjoyment of the owner; upon the ground of the altered practice of the State, and upon the ground of the difficulty and confusion in administering the law as it at present stands, we propose that that exemption shall cease to exist. At the same time there are certain provisions which it is necessary to keep alive. Part of the exemption refers to buildings belonging to hospitals, colleges, and charities of various descriptions. We do not propose to take away that part of the exemption, on the practical ground that, having in view the simplification of the law, we should not assist our object, as it would be extremely difficult to arrive at a principle upon which the buildings and their sites could be valued. We propose, also, to continue the exemption for the repairs of places of Divine worship. With regard to what are termed voluntary subscrip-



tions, they stand on a totally different footing. No person will be assessed in respect of them. The property of endowed charities will be taxed by being taxed at its source, but all income from voluntary subscriptions comes from persons who have paid the tax already, and it will remain as now unaffected by this change in the law."

The principles thus asserted by Mr. Gladstone were not challenged at the time, but after a very short interval it became apparent that the proposition of the Government in regard to the taxation of charities would not escape a strenuous opposition. Intimations of hostility to this measure were made from time to time in Parliament, and out of doors a combination of powerful corporate interests arrayed themselves against it with an unanimity and vigour which threatened serious consequences to the Government if they should persist in their design. The Chancellor of the Exchequer declined the discussion of the objections alleged against his measure until he should submit the entire case in proper form to the Committee of the House of Commons on the 4th of May. On the morning of that day the right hon. gentleman was attended at his official residence in Downing-street by one of the most numerous and influential deputations that has ever attended upon a Minister. It was headed by His Royal Highness the Duke of Cambridge, and numbered among its members the Archbishops of Canterbury and York, the Bishops of London, Rochester, and Bath and Wells, several archdeacons, and other clergy, many members of both Houses of Parliament, and a perfect crowd of gentlemen, who attended on this occasion as treasurers or secretaries of the principal charities in the metropolis.

"His Royal Highness the Duke of CAMBRIDGE introduced the deputation. He said it was composed of noblemen and gentlemen who represented the vast number of metropolitan and other charities affected by the proposed tax, and some of its members would have the honour of explaining how injuriously it would operate upon their various spheres of usefulness. Those members would speak on behalf of the respective charities, the cause of which they came to advocate; but he would confine his remarks to the charity with which he had the honour of being connected as President of the Corporation of Christ's Hospital, which he was sorry to say would have to pay a heavy income tax, like other similar institutions, if the Bill became law. The tax which that charity would have to pay would amount to nearly 2000*l.* a year, or, in other words, would virtually be tantamount to their being obliged to reduce by no less than forty the number of boys educated and maintained by the charity. This would be a great grievance, but it was unfortunately not their only hardship, as they had a number of affiliated institutions, such as the Hetherington Charity for the blind, the inmates of which received pensions of some 20*l.* per annum. With such affiliated societies as

these they had only two courses to pursue,—either at once to reduce the number of their pensioners, or to diminish their small pittances to an extent which would enable the parent society to meet the demands of the new tax. The latter course was one which the Governors of Christ's Hospital would never think of adopting, and the other was almost equally repugnant to their feelings. As the income tax now stood, all incomes under 100*l.* a year were not charged, and a further distinction was made in incomes ranging from 100*l.* to 200*l.*, which only paid in a reduced proportion. But by the proposed change incomes of even 20*l.* would become chargeable to the tax. It was the introduction of an entirely new principle in the history of the tax—one which was not sanctioned by such statesmen as Mr. Pitt or Mr. Peel, and one which they ventured to think was not justified by any pressure of necessity on the part of the Government. Under all these circumstances the deputation thought that they were justified in using the very strongest remonstrances against the proposed measure. With these few words he would leave the other members of the deputation to explain their views to the right hon. gentleman for themselves."

The memorial which the deputation had come to present having been read,

His Grace the Archbishop of CANTERBURY, as President of the Corporation of the Sons of the Clergy and the Clergy Orphan Corporation, said he came there to plead the cause of the widows and the orphans of their poorer brethren. After what had been urged by His Royal Highness, it was not necessary for him to dwell on the question of the principle of the tax on the revenue of charities, but simply to show how it would, if carried into effect, tell upon the importance of those institutions with which he had the honour of being connected. As regarded that of the Corporation of the Sons of the Clergy, its aid was distributed by three branches, one of which was for giving relief to aged and infirm clergymen and their widows, another branch gave assistance to those who from the extreme smallness of their pay as curates or from other circumstances beyond their control become embarrassed, and another branch granted small pensions to the widows and daughters of clergymen. The charity had altogether no less than 1250 persons who were thus all more or less dependent on it for support, and not one of whose incomes came to the limit of the 100*l.* a year which exempted other persons from taxation, but which, under the proposed Bill, would bring the little aid extended to these unfortunate persons within the operation of the tax. There was only one way by which the charity could meet the tax, and that was either by taking off their list the little pension given to 70 poor widows and applying the money thus saved to pay the tax for the rest, or else by diminishing still further to all their annuitants and pensioners, without exception, the miserable dole which was all the charity could now afford to give them in their distress. As

regarded the Clergy Orphan Corporation, there was no alternative with that charity, and they must simply reduce the numbers of those who were now dependent on its care.

The Bishop of London, the Earl of Shaftesbury, and other members of the deputation having stated their views as to the injurious consequences of the proposed measure, by compelling the hospitals and other charities to reduce the number of their patients or dependents, the Chancellor of the Exchequer said he was not quite sure that he entirely understood the purpose of the public meeting, rather than deputation, with the attendance of which he had that day been honoured beyond all precedent in the history of the office which he filled. As far as it was a meeting for reasoning, he thought they would quite agree with him that it was essentially a meeting for reasoning only on one side, and the circumstances of the case made it almost impossible for him to state to them the reasons which had induced Her Majesty's Government to frame the proposal which it would be his duty that night to submit to the House of Commons as strongly as he could. In the first place, that meeting did not require to be reminded by him that they were in no danger whatever of having the proposal of the Government carried by means of influence as opposed to reason, as he thought it would be only moderately stating the case to say that, as far as it was lawful and consistent to distinguish between influence and reason, the balance of influence would not be on the whole unfavourable to the present deputation. The whole case, in fact, was one which the Government must necessarily submit on its own merits. It had been stated that this proposal had not been made in a time of great public pressure, and so far it was made at a time when the proposers of the measure and not its adversaries were likely to suffer from a want of that reason. But he might also frankly state that Her Majesty's Government were persuaded that the whole case had not been brought before the public mind; nor, judging from the address he had heard that day, and the memorial which had been read to him, had it been fairly brought before the minds of those present. His conviction was, in fact, increased that the question had not been fully understood. It would be his duty to state to the House of Commons the reasons upon which the motion of Her Majesty's Government was founded. If, he said, the reasons and considerations urged in that room were new either to his mind or those of his colleagues in the Government, it would merely convict them and himself of the utmost levity. They would leave it to the opinion of the House of Commons that their proposal should receive its free sanction, and if it did not receive that, the mischief of the measure would be greater than the good. There was one question which he wished much to ask. Under the name of charities were gathered together an infinite diversity of bequests of different kinds, and he did wish to know from any who might be authorized to express the sentiments of the deputation, whether he was to understand that what the

deputation desired was, that with respect to these bequests, hospitals, or others falling within the category of charities for the purposes of the income tax, it was their desire that Parliament should continue the present exemption from income tax of all kinds, and so make itself a partner in the wants at present, and maintenance in the future, of all such so-called charities.

The Duke of CAMBRIDGE said that, as far as he was authorized to speak, it was no doubt the wish of the deputation that the charities should be left as they were.

The CHANCELLOR of the EXCHEQUER said his only wish was to know whether the deputation wished that there should be a continuance *simpliciter* of the present exemption?

To this nearly all the deputation replied in the affirmative.

The deputation then withdrew.

On the evening of the same day the Chancellor of the Exchequer proceeded, in a Committee of the whole House, to explain and advocate the proposition he had made for making the funds of charitable endowments for the first time subject to the income tax. It was an undertaking of no ordinary difficulty, for Mr. Gladstone must have been well aware that he was confronting an adverse audience, and a prepossessed, if not pledged, majority. This circumstance, however, did not disarm his courage, but it inspired his speech with an impulsive vehemence and a passionate energy which rendered it one of the most striking displays of eloquence and power that have been heard of late years in the House of Commons. It would be impossible within our limits to afford the space required to do justice to this remarkable oration, which, although it failed, as was well foreseen, of its immediate object, produced a marked impression upon the House. Mr. Gladstone began by observing that he declined to embarrass the Committee by entering into peculiar cases that might be argued on peculiar grounds. The question on the part of the Government was whether the law should be modified which extended to bequests to charitable uses an immunity from all direct taxation. He was not ignorant, he said, that considerable opposition to the proposal of the Government existed in the country. That proposal they considered a wise one, and, as regarded the great mass of charitable property, an equitable compromise. On the other hand, he admitted that it was a proposal which could not be carried without the free and deliberate sanction of that House. After a review of the aspect in which charitable foundations had been regarded by past Financial Ministers, and an examination of the nature and character of many of the bequests which were included in the category of charities, but which did not deserve the name, he considered the policy of offering a premium upon death-bed bequests, and viewed the encouragement of so-called acts of charity, by what was in effect a gift of money at the expense of the community, as wrong in policy and unjust in practice. He calculated that the exemption of charities from the income tax was a loss to the



Revenue of fully 250,000*l.* a year. This allowance to charities was virtually an expenditure kept out of view, and not under the control of Parliament, which was left as to this great expenditure entirely in the dark, and he asked why this promiscuous gift of a quarter of a million should be continued. The charities, he observed, might be divided into three classes—small, middle, and great charities. As to the small charities, he asserted that hardly one of them, if they had asked the House for a grant of 5*s.*, would have received it. He described some of these charities, which he considered had no claim to any indulgence. The utmost they deserved was toleration, but not a penny from the public purse. Yet they formed not far short of one-half of the charities of the country, receiving, therefore, a gift at the expense of the tax-payer of 125,000*l.* a year. Mr. Gladstone then discussed the cases of the middle and the great charities, which included the large educational foundations and the hospitals, properly so called. He entered into details regarding Christ's Hospital, the Charterhouse, and King's College, belonging to the former class; and with respect to the latter he examined, for example, the particulars of the income and expenditure of St. Bartholomew's Hospital, showing that whereas the charge upon the hospital for income tax would be 850*l.* a year, the hospital had obtained a relief from taxation and an improvement in the value of its property that was a direct pecuniary benefit from the income tax to the extent of 3300*l.* a year, showing a clear gain of 2450*l.* a year.

Mr. Gladstone then proceeded to combat the assertion which had been freely made out of doors, that if the hospitals should be compelled to pay the income tax, it would compel them to close some of their wards, or to reduce their beds. He said, "It was not my intention to make any remarks on the management of hospitals of this kind, which we must all regard with so much favour and respect; but when at every turn the threat is flung in my face that if this measure is carried out the number of patients must be diminished, then I am obliged to give it particular consideration. I do not believe that the band of patients will be reduced. Those who, in the case of the protected trades, declared that if protection were withdrawn they must dismiss so many of their workmen, were not men who told lies. They really believed what they said, but were not aware that more economical arrangements would enable them to keep their workmen, pursue their trade, and make larger profits than before. One of the great evils of the present system is, that while you bestow public money on these establishments, you dispense with all public control over them, and thus annul all effective motives for economy. Endowed institutions laugh at public opinion. The press knows nothing of their expenditure; Parliament knows nothing of it. It is too much to say that hospitals are managed by angels and archangels, and do not, like the rest of humanity, stand in need of supervision, criticism, and rebuke. Therefore, even in the case of St. Bartho-

lomew's, I object to an exemption, which, by its very nature, at once removes the principal motives for economical management. When the managers tell me that the exaction of 820%. will compel them to dismiss 500 patients, I am entitled to ask, 'Why, then, do you spend 220% in a feast? what right have you to eat up in an hour 150 beds?' I confess I am amazed at the skill with which my opponents have put their best foot foremost. Their tactics and strategy have been admirable; but their case will not bear close scrutiny. What are the circumstances of Guy's, of St. Thomas's, and similar establishments? Every year they are able to place out 3000% or 4000% each in reproductive investments in land. They are thinking not merely of the sick, but of their own future aggrandizement and extension. I was informed the other day that St. Thomas's spends 15 per cent. of its income in improvements on its land. Well, then, it is a matter for the State to consider, whether the indefinite enrichment of such corporations—even of those instituted for the best of purposes—when entirely removed from the control of public opinion, the press, or Parliament, is to go on without limit, and is to be augmented by contributions from the public purse. I do not believe that a single patient will be dismissed from one of the hospitals of London, if this proposal is agreed to; but if there were the slightest apprehension of such an occurrence, private charity would at once prevent it." He would, he said, prefer that the benefit conferred upon these hospitals should be given in the form of a public grant rather than as an exemption. But there were unendowed hospitals, and he put this question to the Committee:—"Let it be admitted, for the sake of argument, that Parliament ought to make a grant to hospitals for the relief of the sick poor, was it just that the grant should be confined to institutions with revenues of 25,000%, 30,000%, or 35,000% a year, instead of giving it to young and struggling institutions?"

In conclusion, Mr. Gladstone repeated the grounds upon which the Government had felt it their duty to submit this proposition to the House, and the spirit in which they made it. "Although I may have felt that it was on the present occasion my lot to address an adverse assembly, yet I have deemed it to be my duty as a Minister of the Crown not to shrink from the discharge of the obligation which was imposed upon me, to show that neither my colleagues nor myself took up this proposition lightly or without due consideration. I am convinced, moreover, that in inviting public attention to ground hitherto almost untrodden, this discussion will not be without its fruits. I have stated that it is only by a licence of speech that the name of charities can be extended to death-bed bequests, even when applied to useful purposes. I have stated that the growth of those charities is more rapid than the wealth of the country; that many of them have been declared on good authority to be indifferent, and many bad. I have shown that the plan of the Government would subject

the middle charities—which I admit to be generally good—to less than half taxation as compared with private property under certain circumstances, and that in the case even of the smaller charities, if they had any claim for a public grant, it was monstrous to make such a grant by way of an exemption, which selects for favour institutions which do not want, and leaves to struggle those which stand most in need of assistance. The proposition which I have made we do not submit to the House as a matter of financial necessity; we offer it to your notice as a just measure. I will say nothing now of the hard words which have been applied to it; but of this I am sure, that no one would have given to it a more cordial or conscientious support than he<sup>1</sup> who so lately sat upon this bench, and whose loss we so deeply lament—

‘Justissimus unus,  
Qui fuit in Teucris et servantissimus æqui.’

We propose this, then, as a measure of justice. We do not presume to press it upon an adverse House, which must be responsible for its rejection. We desire to defer to the opinion of the House. We do not wish to show any undue obduracy. We will reserve to ourselves the right to consider in what way the subject ought hereafter to be dealt with, if the House should not now wish to accept this proposal at our hands. But we at the same time urge its adoption on the House as a measure sound in principle—as a measure in conformity with the spirit which has guided the proceedings of Parliament for the last twenty years—as a measure just to the tax-paying community, and, above all, the labouring poor, to elevate whose character and to improve whose condition is one of the main objects of legislative action. In proposing such a measure we feel ourselves to be impregnable against all petty arts and reproaches, and we commend it with confidence to the justice, the equity, the courage, and the wisdom of the House of Commons.”

The proposition of the Chancellor of the Exchequer met with warm and vigorous opposition from the Conservative side of the House, while on the Liberal side it found no support among the independent members. The sense of the House was evidently against it. The principal speakers in opposition were Sir Stafford Northcote, Mr. Disraeli, and Lord Robert Cecil. They controverted the principle on which Mr. Gladstone at the outset had founded his argument, that an exemption from a general tax conferred upon any party is equivalent to a grant from the State of the amount remitted, and is consequently made at the expense of the other persons who pay the tax. To tax the endowments of the almshouse or the hospital was, in effect, they said, to tax the recipients of the benefits of those institutions,—needy and distressed persons, who had the same claim to exemption which the

<sup>1</sup> Sir George Cornewall Lewis.

law at present conceded to all persons having less than 100*l.* a year. The income tax was a tax not upon property but upon persons, and it was inconsistent to make those persons who were the beneficiaries of charities liable to the charge from which other persons having incomes below the taxable amount were exempted. Since the income tax was first imposed by Mr. Pitt, and afterwards when it was revived by Sir R. Peel, the claim of eleemosynary endowments to exemption had been admitted, and those statesmen had only acted in accordance with the general feeling and conviction of the public.

The opinion of the country, it was further argued, was distinctly against the measure, and the attempt to enforce it would excite the utmost repugnance throughout the community. In its practical operation it would be attended with deplorable effects; it would compel hospitals to reduce the number of their inmates; it would cripple the resources of schools, and would cut down the pittance allowed to the indigent, the aged, and the infirm. The present time, when other charities were actually experiencing a loss of funds in consequence of the urgent demand of the Lancashire distress, was peculiarly inopportune for such an inroad upon their resources. Mr. Gladstone had indulged in vehement invectives against the deceased donors from whose bequests the existing endowments had been derived. Such attacks upon the motives of men, who, acting according to the light they had, had designed these institutions for the benefit of succeeding generations, were invidious and ill-timed. But be this as it might, Parliament had nothing whatever to do with the motives of donors or testators; they had to defend not the dead but the living, not to regulate the motives by which men might dispose of their property, but to protect the interests of the miserable, diseased, or destitute poor, whom they, from whatever motive, had by their donations relieved. Heavy charges of abuse and malversation had been laid against some of these institutions: it was said that they had corrupted and demoralized the districts where the funds were applied, and that endowments originally destined for the industrious and deserving had been perverted to support the idle, the dissolute, and the dishonest. But even granting this, what correspondence or proportion was there between the proposed measure and the alleged evil? "What," asked Mr. Disraeli, "is the remedy of the Chancellor of the Exchequer for all those evils—for all that vicious principle which is the foundation of the endowments of England, for all that mismanagement, for all that impolitic state of affairs which he denounces with so much power? What is his remedy for the enormous imperfections in the old bequests—for the evils in those petty charities which he has called forth from their obscure existence—for the abuses connected with those magnificent foundations of hospitals and colleges which have contributed so much to the promotion of education and the development of benevolence in this country? Why, it is the applica-



tion of the income tax! The condition of our charities has for thirty years, more or less, attracted the attention of the Legislature. The Crown has issued Commissions and Parliament has appointed Committees, the labours of which have been eminently judicious and useful. I should doubt, therefore, under any circumstances, whether it was necessary or expedient on the part of the Government to call public attention to the character of those institutions with a view to any change in their management or character. But if the Government are of opinion that those endowments are so injurious to the public weal; if they think that the statement of the Chancellor of the Exchequer is justified by the facts; and that this is a question which demands our immediate and careful attention—though there is nothing to justify such a conclusion in what we see at present—they should have brought the subject forward in such a shape that we might have dealt with it in a satisfactory manner. It is totally inadequate to hold out to us as a sufficient means of remedial agency that we should apply the income tax to those institutions.”

These arguments, addressed to a House already strongly pre-possessed against the proposal of the Government, proved irresistible, and Mr. Gladstone announced before the conclusion of the debate that it would not be consistent with the intentions of the Government to press the measure against the evident disposition of the House. Although their own opinions were fixed and clear, yet in deference to the feeling with which it was manifestly regarded, they would withdraw their proposition.

That the decision of the Ministers under these circumstances was a judicious one there could be little doubt. To have persisted in a proposal for which the country was not prepared, and to which the repugnance of a considerable majority of the House of Commons was palpably manifested, would have been to court defeat. At the same time, although the speech of the Chancellor of the Exchequer had failed of its object, there were many, both in the House and out of it, upon whom his striking exposure of the abuses of endowed institutions, and of the mischiefs resulting from ill-directed and indiscriminate beneficence, produced a powerful effect. They felt, indeed, that such evils required a more searching and vigorous treatment than the mere fiscal imposition with which the Government had proposed to saddle them, and that a duty of 7*d.* in the pound upon the incomes of institutions, which either in their principle or their management were vicious, was a very inadequate and inappropriate kind of remedy.

Relieved of this difficulty, the remaining portions of Mr. Gladstone's financial scheme encountered no obstacle. The reduction of the tea duty and the modifications in the income tax were passed with general approval. The Session, however, was not suffered to pass without a revival of that controversy which had been so incessantly agitated both in Parliament and by the public press since the

original proposal of the measure by Sir R. Peel, with respect to the justice of subjecting both permanent and temporary incomes to the same assessment. A Select Committee of the House of Commons, appointed on the motion of Mr. G. Hubbard, one of the members for Buckingham, had in the Session of 1861 made a full investigation of this question, and had finally reported their opinion against the expediency of introducing any distinction of assessment between the two classes of incomes. Mr. Hubbard, however, had been neither convinced nor satisfied by the arguments which prevailed with the Committee, but had on all occasions asserted his own confident assurance in the soundness of the principles for which he contended. In the present Session the same hon. gentleman submitted to the House of Commons a Resolution in these terms :—

“That the incidence of an income tax touching the products of invested property should fall upon net income, and that the net amounts of industrial earnings should, previous to assessment, be subject to such an abatement as may equitably adjust the burden thrown upon intelligence and skill as compared with property.”

He contended that the unpopularity of the tax arose from its not being founded upon any principle; that, whether it was to become a permanent source of revenue, or to be reserved for exigencies, it was equally the duty of the House to base the tax upon a definite and acknowledged principle. After adverting to the objections which had been made to the practicability and the soundness of the theory embodied in his Resolution, he entered minutely into details as to the mode in which, under his theory, the tax would operate upon various species of property, replying as he went on to the arguments which had been urged against it by the Chancellor of the Exchequer, especially that it was hostile to the landed interest, and he fortified the proposition contained in the latter part of his Resolution by authority and examples. In conclusion, he maintained the practicability of his theory; he denied that it would create, as alleged, new inequalities and grievances, and he repudiated the charge of aiming at class legislation, meaning, he said, nothing more than to put before the House a simple principle as a basis for the tax.

The CHANCELLOR of the EXCHEQUER observed that Mr. Hubbard appeared as the advocate of a particular plan—not as a reformer of the income tax in general—casting aside the plans of previous reformers. His plan he supposed to be, in all essential points, perfect and invulnerable, whereas he (Mr. Gladstone) pronounced it impracticable and visionary. He did not stand upon the perfect structure of the income-tax; but its inequalities and anomalies had at least this advantage—that they were in some degree understood, and the back was adapted to the burden. If, however, the plan proposed by Mr. Hubbard were adopted, it would only shift the tax from one

set of anomalies to another, and for one class of evils substitute a greater. He reminded the House of the inquiries which the subject had repeatedly undergone, and that opponents of the tax, when they looked at it closely, discovered that, though not perfect, it was unwise to initiate changes that would encourage hopes and expectations not to be realized. Observing that Mr. Hubbard's plan had been rejected by his own Committee, and his motion negatived last Session by a large majority, Mr. Gladstone examined the details and operation of the scheme, and repeated what he had said on the last discussion, that it really proposed to put the hand into the pocket of one man, and transfer the money taken from it into the pocket of another.

"Now what," asked the right hon. gentleman, "is the principle of my hon. friend? He claims privilege for what he chooses to call industrial incomes. There is some degree of fallacy in that expression. Industry in this country is exempt from the income tax. I do not know that this exemption can be said to rest upon any very broad or clear principle, but for my own part I think it may be justified by two considerations—first, that I believe it to be visionary to dream of levying income tax from the bulk of the labouring classes, and next, because, as far as I am able to judge, under the system of taxation now existing, the labouring man, although exempt from income tax, pays at least a very fair, perhaps a rather full, share of taxation; but as far as the income tax is concerned, industry, properly so called, except a limited portion of the more highly skilled mechanics, is exempt. My hon. friend means the profits of educated men in professions, or some of them, and he likewise means the exercise of industry and intelligence in combination with capital. I want to know upon what principle my hon. friend gets to this particular distinction, as different amounts of taxation are to be taken from different people, not according to the revenues they possess, which is an intelligible principle, not according to their poverty, which is an intelligible principle, but according to the degree in which industry and capital are mixed up together in making the income. My hon. friend propounds this as the foundation of his system, but in my opinion a more dangerous principle it is not possible to conceive. Those whom he desires to relieve are the class whose fortunes are in the most rapid state of progress and increase. Those who are needy in proportion to the station they occupy my hon. friend leaves untouched, or rather he subjects them to additional burdens in order to give a great relief from taxation to a class whose fortunes are in the most rapid state of augmentation. But how does he think, when he has established his claim on behalf of what he calls industrial incomes, he will be able to shut out those who are disposed to recommend other principles? He will, no doubt, be shocked when I say that, in my opinion, more is to be said in favour of graduated taxation than for his plan. A graduated taxation recognizes poverty in one class, and overgrown wealth

in another, and justice demands that one should pay less and the other more. There is something rather plausible in that principle, more so than in my hon. friend's plan. He takes a widow, with 200*l.* a year from the funds, with six children to educate, to train, and to start in the world, and he takes the case of a great merchant—I will not say brewer or banker, as there seems to be some objection to specifying those flourishing classes;—but to a great merchant, with 20,000*l.* a year, he grants a relief to the extent of one-third, and in order to do that he adds twenty-five per cent. to the burden of the poor widow. I protest against the principle of my hon. friend. It is one, in my opinion, which, when carefully examined, is much less plausible, and at least as dangerous as the principle of graduating taxation. It has been said that I appealed last year to the gentlemen opposite. I am not aware that I appealed to the gentlemen opposite in particular. I appealed to the whole House, and I trust they will have the justice and the manliness now to repeat the vote which they gave on that occasion. Some justice and some manliness I think it requires, because I do not deny the faults and flaws of the present income tax. I do not deny that a feeling has existed, does exist, and I believe will always exist, among considerable portions of the community in the direction of the motion which my hon. friend has made. Neither do I deny that such a feeling is entirely natural. But I do say that when the real merits of the case are examined, when investigation is made of broad practical issues, such as I have only endeavoured in one or two cases to exemplify, but which were more fully and sharply brought out before my hon. friend's Committee, the danger involved in my hon. friend's principle will be apparent. The danger, moreover, will be obvious of agitating subjects like this, and of substituting vague expectations in the minds of the community,—expectations which only end in taking money from one man to give it to another,—for those rational hopes of reduction which never can be realized by my hon. friend's plan, but the realization of which must entirely depend on the adoption of judicious economy, and the consequent application of sound principles to the relief of the public."

The Resolution moved by Mr. Hubbard was negatived by 118 to 70.

Another attempt to induce the Chancellor of the Exchequer to make a modification of the income tax, was made by Mr. Roebuck, who urged with much force the consideration of the case of professional men, whose precarious incomes might in a moment be swept away by accident or sickness, allowing no provision to be made for their families. He said,—

"The great mass of the taxation of the country is not derived from your millionaires or men of thousands, but from your men of hundreds. For the present I will direct my consideration to your men of 200*l.* a year. A man of this class has to maintain



appearances; he has to bring up his family, and to provide for them in case of his death. If he derives his 200*l.* a year from a permanent source, it remains; but I come to a case on which I speak with feelings arising from personal experience. I ask you to consider the case of a man earning an income by the labour either of his intellect or his hands. All at once the intelligent mind or the cunning hand of that man may be rendered powerless. He then can do nothing; and from being a bread-winner he becomes merely a bread-eater. The man with a permanent income has no thought on his mind that there is a probability or a possibility of his family being reduced to want; but that is a thought which from morning to night and night to morning works on the mind of a man with an income of 200*l.* a year from precarious sources. There are thousands of our countrymen in that position. To meet such cases, I ask the Chancellor of the Exchequer to do what a colleague of his, now dead, Mr. James Wilson, proposed—namely, to divide incomes into three classes:—First, income derived from capital; secondly, income derived from trade, in which both capital and ability are used; and, thirdly, income derived from mere labour, either of the intellect or the hand. It is not just to tax those three classes alike. Suppose the case of a lawyer. He goes through a laborious education for a great period of his life—say up to the age of fifty. That man fights against the world for his very existence; and as he arrives at the age when fortune may smile upon him he comes on a high tide of business. But, after a few years of prosperity, he is suddenly stricken down; and then he is a burden to himself, and his children are unprovided for. It may be said that the alteration I propose would do away with the surplus. I dare say it would; but I have such confidence in the financial ability of the right hon. gentleman, that I feel certain he could raise an equal amount of money in a much less unjust manner. I ask him to do but justice, which is in his power, and not add to the miseries of the man, who by his labour, intelligence, honour, and integrity earns from a precarious source an income for the support of his family.”

The CHANCELLOR of the EXCHEQUER said Mr. Roebuck had made himself the organ of expressing a feeling which always would prevail as long as the income tax should exist. Though unable to accede to the motion, or to become an instrument to give effect to the resolution, he could not shut his eyes to the anomalies and difficulties attending the tax; but in removing one or two anomalies, three or four would be introduced. He admitted that if it were possible to meet the case of professional men, their case was the strongest, as they were in a different position from tradesmen; it was so difficult, however, to determine the professional criterion that at the first attempt to apply the principle it would break down. Some might be included in the professional class who had permanent incomes, and if all pro-

professional men were not included, nothing would be done. He did not admit that all precarious incomes were entitled to be assessed lower than permanent incomes. He reviewed and compared the relative positions of the landed and trading interests, and showed the results of an attempt to alter the relative scale of taxation, urging, as upon former occasions, that the alteration would in some cases merely add to the tax on A in order to relieve B. It was only, he observed, by a close examination, and by sifting all the details of a scheme for making the tax more equal, that the intrinsic difficulties of the attempt would be discovered.

Mr. Roebuck's motion was after some discussion withdrawn.

It has been mentioned that the remissions of taxation, which the Government was this year enabled to offer to the public, were due in a great degree to the economy which it was found possible to effect in the military and naval expenditure. Sir G. C. Lewis, who, up to the time of his lamented death, held the office of Secretary of State for War, in moving the Estimates for the army, explained to the House of Commons the circumstances under which this saving in the annual charges of the service had been made. The deduction, he stated, was somewhat more than a million sterling. The saving would be principally under the heads of stores and works. It had been considered advisable not to make any material diminution in the number of men, but to reduce the cost of the manufacturing department, in which of late years very active exertions had been made. Another reason which had induced the Government to spare expense in the present year was that the question of ordnance was to a great extent in suspense; and trials of the different kinds of guns were now actually going on, in order to ascertain what was best adapted for the service. The number of men for whom a vote would be asked was 148,242, being less than that of last year by 4161. The reduction would operate on sixty-nine battalions: the number of battalions would not be reduced. Sir G. Lewis proceeded to state the reasons why it was deemed undesirable to lessen that number. It was from no fear of invasion from France or other European power: the number of the English army depended on its peculiar distribution.

"If we look to France and to other continental States, we find that their armies are for the most part confined within the limits of their respective countries. The French, it is true, have a certain amount of force in Algeria and a garrison at Rome; while they have fitted out also an expedition to Mexico; but the great bulk of the French troops is confined within the limits of France. To Austria and other continental nations the same observation applies. Their armies to a certain extent resemble our militia, if we suppose them to be called out throughout the year. The English army is, however, placed upon a totally different footing. In the current year, 1862-3, the number of battalions of infantry on the establishment at home is 40; in the colonies, 45; in India,

56,—that is to say, 40 at home, and 101 abroad; so that nearly two-thirds of our army is on foreign service."

He was sure that the more the Committee investigated the matter, the more satisfied they would be that, setting aside all questions of the defence of our coasts, it would be impossible for the Government to recommend any lesser number of battalions or of men than was now proposed. The area of the United Kingdom is 112,000 statute square miles, while that of the British possessions abroad is 7,383,000, the population of the United Kingdom at the last census being 28,947,000, while that of our foreign possessions is 183,191,000. It could be no wonder that so vast an empire—vaster, he believed, than was ever governed effectively under a single sceptre,—should require an army as numerous as ours. One of the votes this year presented a considerable increase—the sum asked for the volunteers being larger than that of last year by 198,000*l*. This increased expenditure was based on the report of a Commission, which was lately appointed to inquire into the constitution and requirements of the volunteer force, and which had reported in favour of some additional contribution being made by the State to these corps. The total number of this force was on the 1st of August, 1862, 157,818, and the number of effectives was 131,420. The same character which belonged to our volunteer force might be ascribed likewise to the whole of our army. Taking our military expenditure throughout, whether we looked to our fortifications, to our regular army, or to our volunteers, the whole is intended for our defence against apprehended danger from foreign countries, and not to be the means of aggression upon others.

An attempt made by Sir M. Peto to reduce the first vote by the sum of 255,159*l*., was rejected by a large majority. A discussion of considerable interest arose upon the question, which had of late been frequently mooted, whether the expenses of the troops engaged in colonial service should not, in some fair proportion at least, be borne by the colonies themselves? The point was raised by Mr. Childers whether a reduction might not be made in the West India garrisons, in those of Ceylon and the Mauritius, and in New Zealand and the Cape, where the relations of the colonists to the natives had occasioned the maintenance of military establishments out of all proportion to the European population. Ceylon and Mauritius cost 211,000*l*. for troops. Now, the Committee on Colonial Military Expenditure had recommended that a larger contribution should be obtained from these colonies. Ceylon had an increasing revenue, and ought to defray a much larger share of the military expenditure necessary for its defence. The Mauritius cost 150,000*l*. a year, but that colony had a clear average balance of between 50,000*l*. and 70,000*l*. a year. A sum of 150,000*l*. ought to be contributed by these two colonies towards the military expenditure. New Zealand, also, ought not to continue to figure in the Estimates for an average charge of 350,000*l*.

a year. Altogether, there ought to be in time a reduction in the Estimates of 300,000*l.* a year in the colonial military expenditure.

Mr. ARTHUR MILLS supported the objection taken by Mr. Childers, and he moved a reduction of the Estimate to the amount of 80,000*l.* by way of testing the views of the House upon the question whether populations which enjoyed the advantages of self-government should not be apprised that they must not rely entirely on Imperial resources to defray expenditure incurred in their own defence.

These arguments made much impression on the House, but some important considerations involved in the question under discussion were seasonably suggested by Mr. Roebuck and Lord Stanley.

Mr. ROEBUCK thought the Committee was asked to cut down the vote without considering the consequences. It was underlaid by a great question affecting our colonial possessions. If a colony were called upon to provide any portion of the expense of moving the army, the colony would have a voice in the management of that army; for instance, supposing there were two regiments at Quebec which it was desired by the Imperial Government to move to Toronto. If the cost of the movement were to be paid for by the colony, the movement itself might be objected to by the Colonial Legislature, and thus the control of our own army would pass out of the hands of the Imperial Government. If they wished to tell Canada she must defend herself, he was not unprepared for that, but let it be done, not by a side wind, but openly and directly.

Lord STANLEY feared the Committee were getting into a difficulty. He thought what Mr. Mills sought to do was in substance right, but he was not taking the right way to do it. The object was probably to reduce the amount of our colonial military expenditure, but if that were to be done, it should be upon our colonial military expenditure as a whole, and not upon a single vote for commissariat supplies, which must be proportioned to the number of men maintained. What was desired was that the number of men in the colonies paid for by the Imperial Treasury should be reduced, but not that one branch should be crippled by the reduction of a particular vote. The question of military expenditure was a large one, but he believed that it was not one upon which any inflexible rule could be laid down. Take the case of the British provinces of North America. If it were proposed to throw upon the local Government the whole expense of military defence the people of those colonies would reply, "We are not likely to be drawn into any quarrel with anybody except the United States, and if we are drawn into a quarrel with them, it will be in consequence, not of our policy, but of the policy of the Imperial Government." With regard to some of the other colonies the case was widely different. He did not know whether it was wise to guarantee the colonies against native incursions, for the result was that, instead of being



deprecated, and instead of every effort being made to avoid them, native wars were looked upon as things to be desired by a portion of the European population, to whose advantage they tended. That was the case with New Zealand, and so with respect to the Cape; the Under Secretary for the Colonies had spoken in terms of high praise of the people there because they had raised an effective militia force for their own defence, the impression on their minds obviously being that they were conferring a service upon the Imperial Government by condescending to protect themselves. This was the state of things which we encouraged in the colonies by an over liberality in protecting them against internal dangers. As he had said, no uniform rule could be laid down, but generally the plan to be pursued was plain and simple, namely, not to call upon the colonies to pay for the troops employed, but to fix the number of troops which would be contributed by the Imperial Government for the purposes of local defence, and allow no more, leaving the colonists to supply what was wanting by a local militia. In this way disputes between the Imperial and local Governments would be avoided, for, otherwise, if the local Legislature refused to vote the money demanded for the Imperial troops, we had no means of enforcing the claim. As this question did not come before the Committee in a very satisfactory shape he hoped the hon. member would not press his motion to a division, because this would be doing injustice to the cause he had taken up.

Sir G. LEWIS said Mr. Mills had explained that he wished the reduction to be applied only to those colonies which had Houses of Assembly, and to exclude the Crown colonies. If it had been directed against the Crown colonies it would at least have been a practical motion, since for them the Queen could legislate by Order in Council. But for the colonies having Houses of Assembly the Government could not legislate, and the amendment, if carried, would throw on the Government a duty which they could not discharge. That could only be done by an Act of Parliament, and to call on any colony to pay a certain sum into the Imperial Exchequer without their own consent was very like falling back on the old plan of taxing the colonies. There were only two practical courses open to the House and the Government with respect to the diminution of colonial military expenses. One was for the House to legislate on the subject, which would be departing from the rule religiously observed since the American War; the other was to withdraw our troops from the colonies. If the House would point out any colonies where that could be done the Government would then know how to act. But, instead of the thing being done by a side wind, the question of withdrawing our troops ought to be raised distinctly, and a vote taken upon it.

Mr. Mills' motion was negatived by a narrow majority,—71 to 66. Upon the vote being proposed to defray the expenses of fortifications, which included several works of that description for the colonies, Mr. Baxter again raised the question as to the

obligation of the colonies to defray such expenditure out of their own resources. He said that "last year, the House, with the complete assent of the Government, agreed to Resolutions affirming that the self-governing colonies ought to be called on to provide for their own defences. Lord Grey and Lord Herbert were examined before the Select Committee on this subject, and both of them stated that a large part of the expenditure on colonial fortifications was entirely wasted, and that frequently the sums voted were not fairly chargeable to the Imperial Exchequer. He himself had moved a Resolution on the subject, but he had not pressed it, having been satisfied by the speeches of the right hon. gentleman the Secretary for War and the Under-Secretary for the Colonies that the Government were of the same mind as himself. Having looked very carefully through the Army Estimates, he was not at all satisfied with what the Government were doing this year to carry out the Resolutions agreed to last Session. It was proposed to vote 14,300*l.* for fortifications and store-buildings in the colonies which were self-governing. There was an increase in the item for Halifax, Nova Scotia. He should like the House to notice the fact that, of a sum of 10,000*l.* voted for those fortifications last year, only 1800*l.* had been expended. He was told that it was the intention to bring the whole outlay up to 100,000*l.*; but as only 1800*l.* out of the 10,000*l.* already granted had been actually spent, the House had now an opportunity of expressing an opinion that this was not a proper application of British money. He did not think that in the Estimates before them the right hon. gentleman was carrying out the previously-expressed intention of the House of Commons; and he therefore begged to move the reduction of the vote by a sum of 10,000*l.*"

Sir GEORGE LEWIS said he was quite aware that it was questioned whether we should spend any money on fortifications for the colonies. He could only say for his own part that he was most unwilling to propose the expenditure of a single 100*l.* for the fortification of the colonies which did not appear to be of Imperial interest. If gentlemen were prepared to lay down the principle that they thought it desirable or were willing to entertain the question of emancipating the colonies or handing them over to some foreign Power, he could understand the proposition, but it was hardly possible to renounce the duty of providing to a certain extent for the military defence of the colonies as long as they formed an integral part of the Imperial dominions. It was not in the power of the Government to compel them to pay these sums, and if Parliament would not vote the money, there was no prospect that it would be forthcoming elsewhere.

Upon a division the vote was carried by 75 to 43. An objection to the Estimates on broader grounds, applying to the whole scale and proportion of our military expenditure, was raised by Lord Robert Cecil, who, in support of his views, entered into an elaborate comparison, evincing much research and examination of details,

between the cost per man in the English army and in various continental armies, and analyzed the several heads of expenditure for the armies of England and France, particularly in respect of central administration; deducing the result that a very large saving might be effected in our military expenditure, especially in the non-combatant part of it, by adopting the French scale of economy. "The difference between the two central administrations," the noble lord said, "was startling. The cost of the English central administration, made for a service of 148,000 men, was 182,000*l.*; the cost of the French central administration, made for a service of 400,000 men, was 76,000*l.* The proportion per man under the English system was 1*l.* 4*s.* 8*d.*; the French proportion per man was 3*s.* 10*d.* In England they paid six times as much to their clerks and employés in the War-office as was paid under the French system. The Secretary for War would probably tell him that the institutions of the two countries were entirely different, and that intellectual wages in England were more than in France. That was true enough, as he understood the national characteristics; they paid more wages to an Englishman, but he did twice as much work: but the peculiarity of the War-office was, that while they paid their clerks treble as much as was paid in France those clerks did not do half as much work. With regard to warlike stores, the department in which the right hon. gentleman struck off a million at a blow, thus creating magnificent ruins in order to enable them to judge of the more magnificent structure he had left, the proportion expended per man in England was 7*l.* 10*s.* 3*d.*; the proportion per man in France was 16*s.* 2*d.* If they managed the stores in this country with the same degree of economy as in France, they might effect a saving in this vote alone of 994,000*l.* Of course they could not expect the right hon. gentleman, against whom he made no charge whatever, to take the initiative in military reform. The blame did not rest with the Minister but with the system. They could not expect to cure the evil by parings here and there, but by recasting a vicious organization. While prosperity lasted there might be some plea set up for allowing the clerks to enjoy their places; but bad times were coming upon the country: their principal industry had suffered a blow from which it had not recovered, and he apprehended they would feel still more hereafter the effects of what was taking place on the American continent. He was entirely unfavourable to any reduction of the army, but if they could relieve the tax-payer by reducing the cost of the army while they maintained its efficiency, they would direct the national call for economy which was now getting up into a useful channel, and alleviate private distress without permanent injury to the interests of the country."

Sir GEORGE LEWIS said, some years ago he had been induced to make a comparison somewhat like that with which the noble lord had favoured them; but, however interesting the comparison

might prove as a matter of statistical study, he found it was barren of any practical results. The circumstances of the two countries were widely different; the French army was formed by conscription, the English army by voluntary recruiting. The rates of wages were different in the two countries; the systems of finance were different. The French budget was made two or three years in advance, and was prepared upon a system of allowing only ordinary expenditure; but there were extraordinary credits which did not appear in the regular returns of expenditure. The noble lord did not want to reduce the army, nor the pay of the army; so far they were agreed. What he wished was, to have the wages of the artificers and the pay of the clerks reduced. But the Government could not reduce the wages of the artificers at Woolwich, as the rates were regulated by the state of the market; and if the noble lord advocated the reduction of the wages of the clerks in the War-office, he should be prepared to apply the same rule to the clerks in the Home-office, the Treasury, and the whole of the Civil-service departments. The Government had reduced the army within as narrow limits as were consistent with the exigencies of the public service.

Several members who took part in this discussion acknowledged the ability and pains which Lord R. Cecil had bestowed upon the subject, and some expressed their concurrence with his views, but the House was not prepared to set aside the calculations which the Government had formed upon their official responsibility as to the exigencies of the service, and, after a good deal of debate upon various matters of detail, the votes proposed were agreed to.

The Estimates for the Navy, which were moved by Lord Clarence Paget, the Secretary to the Admiralty, also exhibited a considerable reduction. The total amount of money asked for was 10,736,632*l.*, which was less than the vote for the previous year by 1,058,273*l.* The noble lord congratulated the House on this reduction, because they had been enabled by the liberality of Parliament to make such great exertions that the navy was never in so efficient a state as at that time, whether in regard to men or to that class of ships which were now most in vogue. After pointing out the reductions in the several items of expenditure, Lord Clarence stated the number and description of armour-clad vessels afloat and building. The number of these vessels under construction or at sea was twenty-one. Of this number ten (including one small vessel) were actually at sea or would be ready at the end of the year, and eight more would be completed by April next year. He explained the course proposed to be taken in the conversion of line-of-battle ships, and with the frames of wooden ships building. The number of seamen and marines was the same as last year—namely, 76,000 men. He read an account of the amount of our naval force afloat and its distribution, and, in conclusion, gave satisfactory details as to the condition of the seamen and the various improvements introduced into the management of



the departments, and the means adopted to improve the health and comfort of the men. In particular he stated the results of the new experiment of the Naval Reserve, which had been recently organized to meet the difficulty of a sudden demand for men for purposes of naval defence. "That great body of merchant seamen, which has now become a national institution, has largely increased in number during the last year. Last year the number of men enrolled was 10,000. We have now nearly 17,000, of whom 15,000 are drilled and perfectly ready to serve their country. Of these 7000 are at home and can be called out at any moment. It is impossible for me to speak too highly of this valuable force. We have also established a body of officers in connexion with the Naval Reserve. Of the 400 officers which Parliament empowered us to engage we have already 191, which in a single year is a considerable number to obtain. Then we have the Naval Coast Volunteers, a very fair body of men, whom we think we may still improve. At present we have no power to take these men beyond 100 leagues from their own shores. It appears to us very desirable that, in the event of our requiring the services of this force, we should not be confined to employing them within so limited a distance. We believe that, by a little more care in the selection of recruits, we may be able to induce seafaring men to join the force on the understanding that a more extended use is to be made of their services, should necessity require them. Accordingly, it will be my duty to introduce a Bill for the purpose of reorganizing that force."

This statement, though well received by the House, elicited some diversity of opinion. Sir John Pakington expressed, with some qualification, his approval of the measures taken by the Government, and of the amount of force which it was intended to maintain. Mr. Lindsay criticized, with some severity, the mistakes made and waste of money incurred through the successive changes and experiments in ship-building. Mr. Baxter deprecated the policy of maintaining an enormous naval establishment with the view of guarding against foreign invasion, the fear of which he regarded as a foolish panic. Mr. Cobden assailed more broadly what he considered to be the disproportionate scale and cost of our maritime armaments. He admitted, indeed, the justice of the notion that England should maintain a Navy superior to that of any nation in the world; but the superiority of a Navy did not now depend upon the number of men; it was a question of science and skill, so that, when he objected to 76,000 men, he did so for this reason, that he defied the Government so to employ that number in the ships they had that they could be of any use to the country. And when he objected to the number of men, he objected to the whole expenditure of the Navy, for the number of men voted was the measure of the expenditure in all the departments. The conduct of the Government in ship-building had been nothing less than insanity, and the House should be cautious in trusting them now. Could we afford, rich as the country was, to go into all these novel-

ties on a grand scale of iron-clad broadsides? Were we sure that in a few years they would not share the fate of the sailing line-of-battle ships? He called upon the Admiralty to suspend the building of monster broadsides till the plan of Captain Cowper Coles had been tried, and, if it was successful, this enormous number of men would be unnecessary.

Mr. LAIRD expressed his concurrence in the opinion last expressed by Mr. Cobden.

The vote for the number of men proposed by the Government was however adopted without division.

On a subsequent occasion, when the Estimates again came under discussion, Mr. Cobden renewed his protest against the extravagance of our Naval management and the superfluously large force which had been proposed by the Government. He had before stigmatized the policy of maintaining so many "obsolete vessels of war," and he would now justify his statement. We had now, besides corvettes and small vessels, 106 wooden steam line-of-battle ships or large frigates, and, after the invention of a kind of artillery which projected shells not vertically, but horizontally, with all the precision of the ordinary artillery, these wooden vessels were rendered obsolete, not by iron-clad vessels of war alone, but they were objectionable before an iron-clad vessel was made. Since the introduction of iron-clad vessels, indeed, wooden ships of war were not merely worthless, but a source of weakness. There had been no want of warning; we had had warnings from all quarters. He considered that the Admiralty was responsible for 10,000,000% wasted upon these useless wooden line-of-battle ships. On whom did the blame rest? It must be divided, he said, between the two sides of the House. He referred to a variety of documents and detailed statements relating to the Navy of France, as well as that of England, in order to establish his conclusions, and he cited a declaration of Lord C. Paget, in 1858, when out of office, which he contrasted with statements made by him in moving the Navy Estimates, in 1860 and 1861. Looking at what Lord C. Paget had done, and what Sir J. Pakington had contributed to, in this waste of public money, he thought they must both feel some remorse, and hoped that the House would take warning, and not allow itself to be frightened into such extravagance again. If these wooden ships were not only useless, but positively dangerous to their crews, 30,000 men of the number voted were not wanted, and it was competent to the House to review, and if necessary reverse, its vote. He insisted that they were not doing justice to their constituents by voting 76,000 men, when it could be demonstrated that that number could not be employed.

Lord CLARENCE PAGET, in vindicating the conduct of the Government, explained that the great mass of the men in wooden ships were employed, not in large but in small vessels, on distant stations. He complained of the broad statements made by Mr. Cobden, and defended the late and the present Admiralty, who were

quite right in making great exertions at particular periods to put the Navy in an efficient state. Mr. Cobden, he observed, had not well-timed his criticisms; he had waited until the events were over, when it was safe to criticize.

Sir J. PAKINGTON complained that Mr. Cobden had made a violent attack upon him and his administration of the Navy without giving him notice, and thereby enabling him to refer to documents. He vindicated himself and the Government of Lord Derby against the charges made by Mr. Cobden,—whose speeches on naval affairs were, he said, full of mis-statements,—and explained the views and policy of that Government in relation to our Navy.

Sir C. WOOD showed how much expenditure had been unavoidably incurred in the Navy by changes in the construction of ships of war, and the necessity of meeting sudden exigencies.

One of the most important questions that arose during the discussions upon the Navy Estimates related to the mode of constructing ships of war by laying iron plates upon wooden frames, it being argued on one hand that iron-covered vessels might thereby be built quicker and cheaper, and that the timber was already paid for; on the other, that there was no reason for using an inferior material for the frames of vessels because there happened to be a large excess of timber in store, and that if we were to have an iron fleet it should be an effective one, that would not be a burden on the country for repairs.

The latter view was urged with much earnestness by Mr. Lindsay, who moved a Resolution condemnatory of any further construction of wooden ships, which was supported by Mr. Laird, Sir M. Peto, Mr. Dalgleish, and Sir John Hay. The argument in favour of iron-framed ships as against wooden frames involved a variety of technical details. The comparative advantages of building in the Royal dockyards or in private dockyards by tender and contract were also introduced into the discussion.

Lord C. PAGET replied to Mr. Lindsay. Citing a statement in the *Moniteur de la Flotte*, which claimed a superiority over the iron fleets of other nations for France, he assured the House that it was absolutely necessary that we should continue to build iron-plated ships. He then examined in much detail the evidence for and against iron and iron-plated ships respectively, pointing out inconveniences and disadvantages peculiar to the former. After a few explanations, with reference to the controversy between the Controller of the Navy and the iron shipbuilders, he showed the great improvements which had been introduced into Her Majesty's dockyards, as suggested by the Royal Commission. Then the question was whether the five ships in hand should be of wood and armour-plated, or of iron. If of iron, the House must be prepared to state distinctly what was wanted, and was it possible, in the face of frequent changes, to tell what would be the best upper works three years hence? It was impossible for any Government to undertake to enter into any contract for what would be required in 1865.

After mature consideration, the Government were of opinion that they must proceed gradually, and that they should prepare a certain number of wooden frames for iron-plated ships. If the House insisted upon having iron ships, they must be prepared for supplementary estimates. As to the proposal of building in private yards, two years would be required for the building of a vessel by contract, which could be turned out of a Royal dockyard in a single year.

Various members, among whom were Sir F. Baring and Mr. Bentinck, expressed their opinion that in the present unsettled state of the controversy between wood and iron, the Government ought to be left free to act according to their own judgment, and not to be fettered by any Resolution of the House of Commons.

Sir J. PAKINGTON said he hoped that no member would vote upon this Resolution except under a sense of its extreme importance as regarded the future welfare of the Navy. The question involved in the terms of the motion was simply, whether the five ships to be laid down should be built of wood or iron. Lord Palmerston had assigned two reasons in favour of wooden ships—namely, time and money. But the building of wooden ships was not a question of time, since they could not be hurried; and as to money, it was the weakest and worst view of the question to make it one of money.

LORD PALMERSTON observed that the whole of this discussion had turned upon a misconception of what the course of the Admiralty had been and would be. Was it supposed that the Admiralty had set its face against building iron ships and building by contract? Their course was quite the contrary; they had built iron ships, and had built them by contract. There was one objection against iron ships which had not been answered—namely, the fouling of their bottoms, which required repeated cleansing. This was of small importance in merchant ships, but of great importance in a ship of war. Opinions being divided as to the comparative merits of the two kinds of vessels, what did the Admiralty propose to do? In the summer an opportunity would be offered of testing by experiment the respective qualities of a wooden ship iron-plated, and a ship built entirely of iron, and the result would instruct the Admiralty. He entreated the House not to be led into a course that would be not only unwise, but unconstitutional. There were functions belonging to a deliberative assembly, and others which appertained to the Executive Government. This was a matter which ought to rest with the Government, and all they asked was that their hands should be left free.

Mr. Lindsay's Resolution was negatived by 164 to 81.

A proposal was afterwards made by Sir John Elphinstone for an address to the Crown to appoint a Royal Commission to consider the best mode of construction and form of the iron-clad ships which are to compose the future Navy of England; to report upon the ships built and building, and the dock and basin accommoda-



tion required for their use at home and abroad. He observed that we were now entering upon a third re-construction of our Navy within his recollection—a more costly one than the others, and the whole responsibility of this enormous charge was thrown upon an office too hard worked. The object of his motion was to relieve the Admiralty of labour, and afford that Board the advice of a council of able scientific men in the construction of our iron ships. He specified certain points, upon a due attention to which the essential qualities of such vessels depended, and was of opinion that they should be built in Government yards. He entered into other technical details in relation to the form and class of vessels, and to dock and basin accommodation for iron-clad ships, the deficiency of which, he said, would prove a great evil.

Lord C. PAGET was of opinion that the appointment of a Royal Commission would be any thing but advisable. Changes were continually taking place, and the probability was that, if a Commission or Committee were appointed, their report would turn out worthless. He could not discover in the speech of Sir J. Elphinstone any real ground of complaint against the Admiralty. He defended the employment by the Government of private ship-builders; at the same time, it was not intended to throw the construction of iron ships entirely into the hands of contractors. As to dock accommodation, which he admitted was deficient, he stated the measures taken to remedy the deficiency.

The motion, after some further discussion, was withdrawn.

Another question of great importance in the administration of the Navy was raised by Sir John Hay, who moved that the House should on a future day resolve itself into a Committee to consider of an address to Her Majesty, submitting that, in the opinion of this House,—“1. The position of the officers of Her Majesty’s naval service in respect of promotion and retirement is not satisfactory, and ought to be amended; 2. That, with a view to the increased efficiency of the naval service, and to meet the just expectations of officers with respect to promotion, it is desirable to adopt for all ranks the principle of retirement by age; and, 3. That the pay of naval officers ought to be so adjusted, as to enable them consistently to maintain the rank they hold, and to give them fair remuneration for honourable service.” Observing that considerable dissatisfaction existed among the officers of the Navy, and, in his opinion, not without good grounds, and that they looked upon the Admiralty as any thing but friendly to the concession of their just rights; he proceeded to justify and enforce his propositions, showing that his scheme of retirement would benefit the service and promote its efficiency, by producing a steady flow of promotion. With reference to the last proposition, he pointed out the grievances suffered by officers of the Navy through insufficient and diminished pay and allowances, which he contrasted with those of the Army and the Civil Service, and also with the remuneration of officers in the navy of other nations.

LORD PALMERSTON moved, by way of amendment, the following Resolutions :—" 1. That this House, having on the 13th of March, 1861, instructed a Select Committee to consider the present system of promotion and retirement in the Royal Navy, is of opinion that its decision should be suspended until the subject shall have been accordingly considered and reported upon; and, 2. That a Select Committee be appointed to consider the present system of promotion and retirement in the Royal Navy, and to report their opinion thereon." Doing, he said, full justice to the motives of Sir J. Hay, and convinced that he was actuated by nothing more than a desire to promote the interests of the service, he could not refrain from regretting the course which, in and out of the House, Sir John had thought proper to pursue. Military and naval bodies ought not to become deliberative assemblies, to enforce upon the Government changes for their own benefit; to meet together, to appoint committees, and to correspond with members of the profession, calling upon them to state their grievances. Such a proceeding tended to shake the foundations of military and naval discipline, and would form a most dangerous precedent. The course taken by Sir J. Hay, in proposing his Resolution, was not altogether consistent with the functions of the House, which ought not to assume those of an administrative character. The propositions, moreover, were vague, and would leave the Government entirely at sea as to the mode of carrying them out. It was not expedient for the House to present such an address to the Crown; it was for the Government, on its own responsibility, to propose any addition to the expenditure they might deem necessary for the public service, and for the House to reject or adopt the proposal.

LORD C. PAGET analyzed the plan of retirement proposed by Sir J. Hay, showing in detail the injurious action it would exert upon the service, and that it was impracticable without inflicting injustice upon officers. He disputed the correctness of the comparison made by Sir J. Hay between the pay of British and French naval officers. He did not deny that there was room for improvement, but there had been great advances made in the pay and position of all classes in the Navy, and it was not fair to make charges against the Admiralty and to instigate officers to discontent.

SIR J. PAKINGTON insisted that Sir J. Hay was not liable to the charge made against him by Lord Palmerston, and that his motion was not open to any objection on account of its form. He, on his part, charged Lord Palmerston with inconsistency and a change of tactics in now proposing an inquiry by a Committee which he had opposed in 1861. He (Sir John) thought the question ought to be dealt with by the Executive, or, if not, that it should be referred to a Royal Commission. With regard to the plan proposed by Sir J. Hay, he did not assent to all the details, but he corroborated Sir John's statements as to the under-payment of the superior officers of the Navy. Though he should vote for the motion if pressed to a division, he suggested whether he would not best dis-

charge the duty he had so well performed by not pressing it; and he appealed to the Government whether, in that event, it would not be better that they should undertake the question.

Sir J. HAY did press his motion, which was negatived, and the amendment of Lord Palmerston was agreed to.

## CHAPTER III.

*Ecclesiastical and Religious Questions*—The Prison Ministers' Bill—Division of opinion in the Conservative party—Debates in both Houses, and passing of the Measure—Sir Morton Peto's Dissenters' Burials Bill—Arguments for and against the Measure, which is rejected by a large majority—State of the Church-rate question, and results of the successive Bills for repealing it—Debate on Sir John Trelawny's Bill—Summary of speeches on both sides—It is negatived by a majority of 10—Several measures for a compromise proposed, but without success—The Lord Chancellor's Bill for the Augmentation of Small Benefices—Explanation of the scheme—Debates in both Houses—Objections made to the principle of the measure—It is carried by large majorities—The Act of Uniformity—Debates in Parliament and agitation out of doors respecting Subscriptions and Declarations by the Clergy—Motions of Mr. Baxter in the House of Commons and of Lord Ebury in the House of Lords for obtaining an alteration of the Act—Arguments of the leading speakers in each House and unsuccessful results—Mr. E. P. Bouverie brings in a Bill to repeal part of the Act, but ultimately withdraws it—Discussion in the House of Lords on the Burial Service—Opinions of the Archbishops and Bishops and of other peers—The Motion is withdrawn, the Bishops undertaking to consider the subject—Annual debate on Maynooth College—Mr. Whalley's Motion is negatived—Motions for inquiry into the state of the Established Church of Ireland—Speeches of Mr. Dillwyn and Mr. Bernal Osborne—Answers of Mr. Cardwell and Sir Robert Peel—The question is disposed of by the adjournment of the House without coming to a vote—National Education—Statement of Mr. Lowe on moving the vote for this purpose—Motion of Mr. Walter for an alteration in the regulations affecting masters of schools—After some debate it is rejected,

A CERTAIN number of questions come up to the surface in almost every session of Parliament, which involve more or less directly the relations of the State in regard to religion, the principles of toleration, the position and functions of the Clergy of the Established Church, or the relations of that Church towards Non-conformists. As such discussions frequently involve important principles, and almost always indicate by their occurrence in Parliament some corresponding movements of the public mind, they are well deserving of notice, since in a country governed, as England in effect now is, by public opinion, to trace the formation of opinion is, in fact, to possess the key to its history. In this point of view some proceedings to which we shall now refer are deserving of record, though the actual legislative results were not considerable.

The first measure to be noticed in this connexion, and which derived increased importance from the division of opinion which it occasioned in the Conservative party, was the Bill introduced

by Sir George Grey to give to the inmates of prisons, not being members of the Established Church, the benefit of the attendance of ministers of their own religious persuasion. As it was admitted that the proportion of Protestant Nonconformists who could take the benefit of this Bill was inconsiderable, it might be regarded in fact, and was viewed in both Houses of Parliament as being in effect, a measure authorizing the employment in prisons of Roman Catholic priests. Indeed, the Home Secretary stated in moving the second reading of the Bill, that the Government had been impelled to propose some legislation on the subject by the circumstance of their having felt obliged in the last session to oppose a Bill proposed by Mr. Hennessey, avowedly for the relief of Roman Catholic inmates of prisons, but which contained provisions open to great objection. The object of this Bill was similar, but its machinery and enactments very different. Before explaining its provisions, Sir George Grey deprecated the objections which he knew were entertained in some quarters to a measure which was regarded, by persons zealous for the interests of Protestantism, as damaging to that cause. Such an impression he regarded as founded upon a mistaken view of the subject.

"Let my hon. friends," he said, "who object to the provisions of this Bill suppose they were members of a Protestant minority in a community composed chiefly of Catholics, living under a Catholic Government, and that persons professing their own religious faith, from their circumstances in life, from the peculiar temptations to which they were subjected, or from any other causes, composed a considerable proportion of the criminal population of the country. Would it be satisfactory to them, or would it be a sufficient answer to them when they asked that adequate provision should be made for the religious instruction of those persons, to be told that all prisoners were placed by law under the exclusive care of Catholic priests, but that they might be visited by Protestant ministers if they made a special request, though even those visits would not exempt them from repeated personal intercourse with Roman Catholic priests, with whom it would rest what books were provided for their instruction? That would be a state of the law any thing but satisfactory to my hon. friends; they would refuse to acquiesce in any such arrangements; and how, then, can we expect our Roman Catholic fellow-countrymen to be contented with the state of the law which I have now described, or how can we think them unreasonable in pressing for some change?" In point of fact, this Bill introduced no new principle, it merely extended a principle already recognized in our legislation and practice. In the army the Roman Catholic soldiers were provided with the ministrations of a priest of that Church, whose services were paid for by the State. Exclusive of the provision made for troops in Ireland and in various stations abroad, there were at that time no less than 18 commissioned Roman Catholic Army Chaplains paid by grants annually voted by that House. If the Roman Catholic



soldier committed an offence and was committed to a military prison, he was allowed the services of his own minister. But supposing him to be committed to a civil prison, the case was different. The rule at present was that the State appointed and paid a clergyman of the Established Church as a chaplain to each prison, whose duty it was to visit every prisoner therein confined, whatever might be his religious persuasion, to prescribe the lessons he should be taught, and the books that he should use. The only exception to this rule was in cases where a "special request" was made by a prisoner for the attendance of his own minister—a provision imperfect in its operation, and rarely acted upon. There had been, since the existing practice was first adopted, a large increase in the number of Roman Catholic inmates of prisons, chiefly in consequence of the great increase of immigration from Ireland. It appeared from returns that last year there were between 3000 and 4000 Roman Catholics confined in the English county and borough gaols, besides about 1500 in the convict prisons. It should be mentioned that in Ireland in every prison there was a paid Protestant Chaplain, though the prison might not contain a single Protestant inmate. The Bill now proposed, which would have little operation except in certain parts of the country where Roman Catholics were numerous, would empower the local authorities (the Courts of Quarter Sessions) to appoint Roman Catholic Chaplains in prisons, to appropriate out of rates a reasonable remuneration, and to dismiss them when necessary.

The Liberal party in the House of Commons was, as might be expected, in favour of the measure. Lord Edward Howard, the sole Roman Catholic representative of an English or Scottish constituency, spoke in favour of it, considering it not so much an ecclesiastical as a police measure. Its necessity had been affirmed by great authorities. There had been no complaint of conflicting interests in Irish prisons, and the mixed system prevailed in the colonies. He mentioned instances of impediments cast in the way of Roman Catholic prisoners desirous of seeing their priest, and of unfair advantages taken of them.

On the Opposition side of the House there was a marked diversity of opinion. Mr. H. Gore Langton, Mr. Selwyn, Mr. Newdegate, Sir L. Palk, and some other members, objected strongly to the Bill. The measure, they contended, was uncalled for and unnecessary; Roman Catholic prisoners might at present be visited by their priests, if they required it. The Bill would sanction the appointment of a Roman Catholic priest in every prison in the country. It affected the rights of the Established Church; it would clothe the magistrates at Quarter Sessions with a new power; there would be one law in one county and in one borough, and another law in another; and it would introduce elements of religious controversy.

On the other hand, some of the leading members of the Conservative party gave their adhesion to the measure, and spoke in its

favour. Among these were Mr. Henley, who declared that "in this matter we should do as we would be done by," a sentiment which, as bearing upon this matter, was echoed by Sir John Pakington, who supported the Bill on a subsequent stage. Mr. Disraeli advocated it on the same grounds, combating with much pains the objections which some of his own party had urged against it. Two great objections, he said, had been urged against this Bill. First, that it would affect the security of the Established Church. If he could suppose that it had a tendency to impair that security, he should oppose the Bill; but he had no such apprehension. Then it was said that the measure was dangerous to the Protestant spirit of the country. But who could suppose that the magistracy of the country would desire to depress that spirit, of the power of which Roman Catholics had had sufficient proof? Looking, therefore, at the influence which this Bill would exert upon the *status* of the Church of England, or upon the Protestant spirit of the country, it was, in his opinion, to have a very poor and mean conception of that Church and of that spirit to suppose that the Bill could endanger the one and lessen the other. He did not entertain these visionary apprehensions as to the effects of this permissive Bill,—a measure which he hoped the House would pass, as in harmony with the legislation which it had sanctioned upon the subject.

In the House of Lords, a similar conflict of opinion was manifested, the leader of the Conservative party speaking without reserve in favour of the Bill, while other noble lords, who usually voted with Lord Derby, on this occasion opposed his arguments. The Earl of Harrowby and Lord Berners were on the adverse side, regarding the measure as unnecessary and mischievous, impairing the rights of the Established Church, and calculated to create a spirit of discord in the country. The Bishop of London also opposed the Bill, alleging that he did not know where, if this measure were passed, the principle it laid down would stop, as the same arguments would be used for introducing Roman Catholic priests into workhouses. The present state of the law gave every facility to Roman Catholic prisoners, and he could not understand why the *status* of a prison chaplain should be given to Roman Catholic priests in order to do that which they could do now.

LORD DERBY said his opinion of the policy and justice of the Bill was so strong that, however much he lamented to differ from many of his friends, he felt bound to give a vote in its favour. Having appealed to the life-long support he had given to the Established Church as a proof that he would not consent to any measure mischievous to its interests, he denied that the Bill was the commencement of placing the Roman Catholic Church on an equality with the National Establishment, or of endowing the Church of Rome in this country. The state of the law was unjust to Roman Catholic prisoners, and was only rendered not intolerable by the good sense of the magistrates who *proprio motu*

allowed prisoners to send for ministers of their own persuasion. Considering, however, the previous lives of prisoners, they were not likely to avail themselves of this permission; and the natural consequence was, that Roman Catholic prisoners, unless they themselves sent for a priest, obtained no ministration of any clergyman whatever. He could not for one moment admit a proposition of Lord Berners that, because the teaching of Roman Catholicism was considered erroneous, therefore no Roman Catholic chaplain should be provided; because, whatever he might think of the errors of the Roman Catholic Church, there was no doubt that the ministrations of that Church were alone acceptable to those who believed in it. He exposed the injustice of the proposition that Roman Catholic priests, if allowed to attend their co-religionists, should do so without payment. In conclusion, the noble Earl said—"It appears to me that the Bill is one which meets the justice and the equity of the case, and does not go beyond it. It does not place the Roman Catholic Church in a position different from that of other denominations. Still less does it place it on a footing in the slightest degree of equality with the Established Church. I should regret very much if the Bill had that effect; but it has not. What it provides is, that where duties are to be performed—laborious, painful, and responsible duties—you shall not, if they are services to the State, insist on their performance without remuneration; that you shall make a fair return for services which you may deem valuable, in carrying out the work of prison reformation. I am well aware not only that I differ on this question from several of my noble friends around me, but that this measure has met with much misapprehension and prejudice—honest prejudice, no doubt—and that it is not likely to be popular in the country. But where I have clearly seen my way with regard to the justice and policy of a measure, I hope that I never have shrunk, and that I never shall shrink, from incurring the risk of unpopularity; and I think I make a much greater sacrifice than in taking a course which connects me with unpopularity out of doors, when I find myself differing on this question from noble friends around me, with whom, on most occasions, it has long been my happiness to act. All considerations of this sort, however, must give way to those of policy and justice; and believing the measure to be founded not only upon policy and justice, but upon the higher principle of Christian charity and religion, I deem it my duty to give a conscientious and a cordial vote in favour of the second reading."

The Bill passed its second reading in the House of Commons by a majority of 152 to 122, and the third reading by about an equal majority. In the House of Lords the numbers for the second reading were 65, against it 35. It ultimately received the Royal Assent.

A Bill, introduced by Sir Morton Peto, for removing alleged grievances of the Protestant Dissenting bodies did not meet with

a like success. It was called the Dissenters' Burials Bill, and had for its object to enable Nonconformists to have their funerals celebrated with their own religious rites and services and by their own ministers, in the graveyards of the Established Church. Sir M. Peto had brought in a Bill with this object in the preceding session, which had been referred to a Select Committee, and underwent considerable amendment, and it was the Bill so amended and re-introduced to which he now sought the consent of the House of Commons. He explained the nature of the grievance which it was intended to remedy, and disclaimed any design hostile to the Established Church, his only object being, he said, to promote Christianity.

The second reading was warmly opposed by Lord Robert Cecil, who was followed on the same side by Mr. Disraeli, Mr. Newdegate, Mr. G. Hardy, and Mr. Hunt. Lord Robert argued that the alleged grievance was confined to one sect of Dissenters—the Baptists—whose children, by a rigorous interpretation of the rubric, might be considered as falling within the rule of exclusion; and he contended that, while the grievance was small, the remedy was large, and that the proposed alteration of the law would produce more evils than it would remedy. There was, he said, unconsecrated ground in numerous cemeteries, and he pointed out other limitations of the area of the grievance, dwelling upon the objections to which the measure was open, and upon the evil consequences which would, in his opinion, result from its adoption.

Sir JOHN TRELAWNY opposed the Bill on the special ground that it would put Dissenters in a wrong position in regard to Church-rates. At present their allegation was that they derived no benefit from the expenditure of Church-rates, but if this Bill was passed they would lose the benefit of that argument.

Sir GEORGE GREY declared his intention to vote for the second reading of the Bill, though he could not approve of certain provisions it contained.

The CHANCELLOR of the EXCHEQUER, remarking in the outset that this was a matter which should be discussed with care and reserve, and that he was far from saying that the course of proceeding last year bound the House as to the mode of dealing with the Bill, said he should feel the greatest hesitation in refusing his assent to the second reading of the Bill, though he admitted that parts of it were open to exceptions, and to one clause in particular he was opposed. But the question was whether it contained matter for useful legislation, and whether the Dissenters had a *prima facie* ground of objection to the law as it stood. "The statement," continued the right hon. gentleman, "which has been made in the course of this debate, that Dissenters, under the present law, have not access to our churchyards, has been objected to by some hon. gentlemen. Well, in all its breadth, I am not prepared to support that statement, because, as I understand, Dissenters have access to our churchyards subject to two conditions—viz., subject, first of all, perhaps to the condition



of being baptized; and, secondly, without doubt, subject to the condition of having the service of the Church of England read over their remains by the appointed minister of the Church of England, whatever their objection either to that service or to the communion of the Church as a whole may be. With regard to the matter of baptism, I do not understand it to be clear law whether the unbaptized have a right to sepulture in the parish churchyard or not. If they have not, I cannot deny that it seems to me to be a question worthy of the consideration of the House, whether or not the law should be altered in that respect. I speak now simply of sepulture, and not of religious rites, nor do I presume to give a very confident opinion on that point. But the other point, which is subject to no doubt at all, is one on which I venture to express a very confident and very strong opinion, that it gives the Dissenter some title to come before this House and ask for an alteration of the law. If he has access to the churchyard, or has access to it subject exclusively and absolutely to the condition of having the service of the Church read over his remains, I confess I do not think that that is a state of the law which is consistent with those principles of civil and religious freedom on which for a series of years our legislation has been based. I do not see that there is sufficient reason, or, indeed, any reason at all, why, after having granted, and most properly granted, to the entire community the power of professing and practising what form of religion they please during life, you should say to themselves or their relations when they are dead, 'We will at the last lay our hands upon you, and not permit you to enjoy the privilege of being buried in the churchyard, where, perhaps, the ashes of your ancestors repose, or, at any rate, in the place of which you are parishioners, unless you appear there as members of the Church of England, and, as members of that Church, have her service read over your remains.' That appears to me an inconsistency and anomaly in the present state of the law, and is in the nature of a grievance." On these grounds he should vote for giving the Bill a fair consideration upon its merits by approving the second reading.

The House, however, came to a different decision, rejecting the motion by 221 to 96.

Of all the political controversies of the time, that of Church-rates appeared to present the most insuperable difficulties, and after many years of struggle to be as remote as ever from a satisfactory solution. Of the possible alternatives which the conditions of the case admitted, there was none which was not liable to serious objections. To retain Church-rates, to abolish them, or to adopt a substitute, appeared to be alike impracticable or unwise. The present condition of things,—under which the obligation of making a rate was recognized by law, yet not enforceable; prescribed as a duty, yet contingent on the fluctuating and precarious vote of a majority; operative in one parish, invalid in another; imposed this year, refused the next;—was justly

regarded as anomalous and intolerable. The simple remedy of abolition, desiderated by Dissenters and by others, who naturally wished to free their property from a burden, was strenuously resisted, on the grounds of prescription and justice, by that large and influential part of the community who were represented by a powerful minority in the House of Commons and a staunch majority in the House of Lords. As for compromises and substitutes, though many and various had been the proposals, no scheme had been suggested which was not declared, by either the one party or the other, more objectionable than the existing system with all its evils and anomalies. Political sagacity was at fault to discover any mode of escape from the difficulties of the problem. The Government cautiously abstained from offering any plan of their own; but such caution was as much a matter of necessity as of wisdom. For the Ministers themselves were far from being unanimous in opinion; nor did it seem likely that any Administration which could be formed would be of one accord upon the question, except as to the policy of leaving it undisturbed. It had consequently been made an open question in Lord Palmerston's cabinet; and while some members of that body and holders of office voted annually for the abolition of the rate, others in the same situation both voted and spoke against that measure. At present the tendency of Parliamentary support seemed to be inclining in favour of the maintenance of the rate. In 1855 the second reading of the Bill for abolishing the rate was carried in the House of Commons by a majority of 28; in 1856 by 43; in 1858 by 53; in 1859 by 74; in 1860 by 29. In 1861, the votes being equal, the Bill was lost by the casting vote of the Speaker; and in 1862 it was negatived by a majority of one. In the present Session Sir John Trelawny, who had for so many successive years brought in the repealing Bill, again obtained leave to introduce it, and moved the second reading in a tone of singular moderation, but which betokened no very sanguine hope of a prosperous result. Though unchanged in his opinion, he avowed himself somewhat weary of his annual task, and intimated a wish that some other hands should now undertake the office.

There was, as was naturally to be expected, little novelty in the arguments urged on either side in this debate. In favour of the repeal it was contended by the author of the Bill and Sir C. Douglas, who seconded his motion, that the Church-rate, so long as it was maintained, would be a perennial source of grievance and discontent, and a cause of weakness rather than of strength to the Establishment. They denied that the question at issue involved the principle of a National Church. According to the law, as declared by the highest authorities, the right to impose a Church-rate depended upon the act of a majority in each parish. To stake the existence of the Church of England upon the right to exact this impost, was to place it on the most narrow and precarious

basis. The Dissenters objected to Church-rates, because they contended that the Church had no right to tax them against their will, nor would they consent to any measure which appeared to place them in a subsidiary position as regarded the Church. Within the last fifty years Nonconformists had been recognized by law, and had acquired one after another legal rights, which now people wondered had ever been denied them. Notwithstanding, however, all this progress, justice was still incomplete. Church-rates by compulsion still formed a link in the chain, which the present century had done so much to unloose, and complete religious equality had still to be established.

The maintenance of the fabric of churches, and the needful means of public worship, might, if the Bill should pass, be safely left to the spontaneous liberality of the members of the Church of England, who had within the last thirty years raised such prodigious sums for the building and restoration of churches throughout the country.

On the other hand, it was argued by Mr. G. Hardy, who moved the rejection of the Bill, by Mr. Whiteside, and Lord John Manners, that the issue before the House was, whether the Church of England should continue to be the Church established by law. There was nothing unjust or intolerable in the operation of the tax upon Dissenters. In this country there had always been an Established Church, and Church-rates had been levied for 1000 years, with the consent of the possessors of the land, and civil advantages resulted from an establishment for which it was fair and reasonable that all should pay. As to a compromise, every offer which had been made that would relieve tender consciences had been refused. This was not a question of money; it was a question of supremacy, whether it was right or wrong that we should have a State establishment at all. Voluntary efforts could not be relied upon for sustaining the fabric of a church, since they were uncertain, spasmodic, requiring stimulants; and the difficulties of the clergy, already great, ought not to be increased. The discord and heart-burnings occasioned by the Church-rate contests were, indeed, to be lamented; but it was satisfactory to observe that there had of late been a marked decrease in the number and acrimony of these contests. Never since the controversy had been agitated had there been more Church-rates levied than in the present year. The declining Parliamentary support which the Bill had met with since 1858 was another evidence of the altered state of the public mind upon this question. Let the House reject this Bill, as the indispensable step to that safe and temperate improvement which all admitted that the law of Church-rates required.

Occupying an intermediate position between the two opposite views thus declared, Sir George Grey stated the course which he, as an individual member of the Government, anxious in the

interests of the Established Church for an equitable settlement of this controversy, intended to adopt.

It seemed to him that there had been an exaggerated importance attached to it by those who advocated the abolition of Church-rates, and by those who were for the retention of the present system. He could not concur with those who went the length of saying that Church-rates were an intolerable grievance; and, on the other hand, he could not think that the principle of the Established Church was at all connected with the retention of Church-rates. It was unwise in the friends of the Church to stake its existence on Church-rates. The great difference between the existence of the Church and the maintenance of Church-rates was shown by the fact, that in very many parts of the country no Church-rates were levied. In many of the large and populous parishes Church-rates had practically been abolished, so that about one-half the population was exempted from the payment of those rates. They had been abolished in most of the populous towns of the kingdom. He asked whether the principle of the Established Church had been weakened in those places? Again, the district churches, which had risen in such numbers within the last few years, were maintained without Church-rates. Then he took the case of Ireland. He asked hon. members who said that Church-rates and the Established Church must stand or fall together, whether they were prepared to maintain that the Irish branch of the United Church stood now in a worse position than it did thirty-five years ago, before Church cess was abolished? Having said so much on that point, he felt bound to confess that it was not without reluctance he was about to vote for a Bill for the total abolition of Church-rates. He had always held that in those parishes where for many years there had been, by general consent of the inhabitants, a small rate levied for the purpose of maintaining the church, it would be a hard thing to say that no such rate should be levied in future. This brought him to what was called a compromise. Some hon. members seemed to think that a compromise was wholly inadmissible, and that it would be an insult to propose it. He would remind hon. members that proposals for particular exemptions had come from both sides of the House at various periods. The only difference was this—that the exemptions generally proposed on the Opposition side of the House were exemptions to be granted on special application, stating conscientious objection, or that the party was not a member of the Church of England, while, by the proposals coming from those who were opposed to the present system, no special case was obliged to be made, but merely a simple statement from the parties wishing to be exempted. Holding the views which he did on the subject, he should vote for the second reading of the Bill; but, in doing so, he felt it right to say that he should hold himself at liberty to abstain from voting for the third reading, should



the Bill reach that stage, and in the mean time no modification had been introduced which would reduce the measure to one for the abolition of compulsory payment of Church-rates. He hoped a system would be adopted under which Church-rates might be made by general consent even in those places where they had long been practically abolished.

Mr. WALTER said, that looking at the question from a Churchman's point of view, and not admitting that Church-rates constituted any grievance, or inflicted any injustice on Dissenters, he believed that they were a source of weakness to the Church, and that it was her interest to get rid of them. He thought that a Church should be maintained by those who used it, and that a modified system of pew-rents would be the best substitute for the rate.

The debate was not a long one, though it took place in a very crowded House; and the division, which was to decide the fate of the Bill, was anticipated with the most lively interest. It resulted in a majority of 10 against the second reading, the majority being 285, and the minority 275. The announcement was received with enthusiastic cheering on the Conservative side of the House.

After the rejection of Sir J. Trelawny's Bill, the idea of a compromise or substitute was again taken up, and two Bills with this object were introduced into the House of Commons. The first of these, called "The Church-rate Commutation Bill," was proposed by Mr. Newdegate, who, founding his scheme, as he stated, upon a suggestion of the late Sir R. Peel, embodied in his measure the idea of imposing the burden, not upon the occupier, but upon the land, making the land liable to the obligation of supporting the fabric of the church. Assuming that the rate was now in law a charge upon the land, he sought to remove the personal liability now existing, and thus to relieve Dissenters from an invidious test. The Bill also contained some other provisions, partly founded upon the report of the House of Lords' Committee on Church-rates. It met, however, with little or no support from any party in the House. Sir C. Douglas declared that it would afford no satisfaction to Dissenters, and moved its rejection, which was seconded by Lord Henley. Sir George Grey gave Mr. Newdegate credit for his good intentions, and for some valuable features in his Bill, but he feared it would prove, as a working measure, impracticable. One or two valuable provisions it certainly contained,—as, for example, the power given to landowners to discharge their property from any Church-rate, and the exemption of parishes where the rate had not for a certain time been levied, or had been for a certain time refused. This was a provision which must find its place in any Bill which recognized the continuance of Church-rates. But its value in this instance was lessened by the clause which enabled parishes, in certain cases, to revive Church-rates, because he

thought it better that where the tax was put an end to at all, it should be permanently extinguished. The principle of the Bill was the proposed transfer of the charge from the rate-payer to the owner. Mr. Newdegate proposed a uniform charge of 2*d.* in the pound, and that, subject to the exemption of certain parishes, the charge should be levied upon property, the occupier being called upon in the first instance to pay the charge, but being entitled to deduct it from his rent, in the absence of any special agreement to the contrary between landlord and tenant. Now, he quite admitted that Church-rates were a charge upon real property, but too much had been made of the argument that, because they were such a charge, purchasers paid less for real property than if Church-rates did not exist. The fact was that the tax was so small in amount that it did not enter into consideration. Then the Bill proposed to bring in the Governors of Queen Anne's Bounty in several capacities—to make them the trustees of all the funds that would be raised under the Bill, to make them to a certain extent administrators of the fund, and also a judicial tribunal, for they were to sit as a court of appeal to decide upon every minute article of expenditure to which a landowner might object. He presumed that this was proposed because, as the vestry would be constituted as before, landowners, unless they were also occupiers, would not be represented there, and were, therefore, considered entitled to an appeal. If they were dissatisfied with the decision of the court he had just mentioned, they might then carry the case before the Lords Justices. But all this sort of machinery was utterly inadequate for the objects which were in view, and he thought, therefore, upon the whole that the hon. gentleman would do well not to press this Bill upon the House.

Sir STAFFORD NORTHCOTE enforced this recommendation, while he did full justice to the motives which had led to the production of the Bill. Upon a perusal of its clauses, some of which were of a complicated nature, and involved questions on which great differences in principle would be found to exist, it seemed hopeless to expect that the Bill could pass this session, and in a friendly spirit to the mover he counselled its withdrawal. Other members urged the same advice. Mr. Newdegate, however, felt himself bound to those he represented, forming a numerous part of the community, to persevere with his Bill, which he was willing, if read a second time, should be referred to a Select Committee. A division was therefore taken on the second reading, which resulted in the defeat of the Bill by 94 to 56.

The second attempt was made by Mr. Alcock, who proposed a scheme of a less ambitious character. The object of his Bill was simply to give persons an opportunity of redeeming the Church-rates of their particular parish, just as an existing law allows the redemption of the land tax. At present, if persons wished to redeem the Church-rates of their parish, it would be necessary

for them to obtain a special Act of Parliament. He proposed that application from such persons should be made to Commissioners, to whom must be given a very considerable discretion, as they were to be the arbitrators or judges in respect to the sum which ought to be paid for the redemption.

Mr. Newdegate objected to this Bill, which, he thought, conferred larger powers of dealing with property than the House ought to sanction. Sir George Grey considered that some material alterations in the Bill would be required in Committee, but he was prepared to vote for the second reading. The House, however, thought otherwise, and rejected the measure by 81 to 72.

Another Bill, called "The Church-rates Recovery Bill," of which Lord Alfred Churchill was the proposer, was allowed to be brought in and read a first time near the end of the Session, but was speedily withdrawn.

A measure of considerable importance, with a view to strengthening the resources of the Established Church by increasing the value of small benefices, was introduced early in this Session by the Lord Chancellor, and deserves notice as a good example of what may be done to supply the increasing needs of the Church by means of an improved administration of ecclesiastical revenues. The object of Lord Westbury's scheme was to convert part of the Crown's right of patronage into money, which should be employed to augment the value of the benefices. It was stated, both by the Lord Chancellor and other noble lords who had held that office before him, that the presentation to the numerous small livings in his gift was a very irksome and perplexing part of his duty, while the bestowal of the ill-endowed benefice was too often no kindness to the presentee. Some of these miscalled "livings" were situated in remote parts of the country, and showed by their neglected condition the want of that attention and supervision which was generally afforded by landed proprietors holding the advowson in their own hands. The object chiefly aimed at in framing the scheme was to facilitate the transfer of the right of patronage from the hands of the Crown to those of the land-owners, and thereby to secure to the Church and the interests connected with it the support and assistance of those most concerned in the welfare of the parish. The number of benefices to which the measure would apply was 320, which were those of the smallest value in the Chancellor's gift.

The machinery, by means of which the augmentation was to be effected, was fully prescribed by the Bill, and was explained by the Lord Chancellor; but as it was somewhat complex and intricate, he expressed his desire that the Bill should, before proceeding to its ulterior stages, be referred to a Select Committee. This was done, and some material alterations in the working of the plan were adopted,—the principle, however, and the number of livings to be affected, remaining unaltered. The Bill having passed through the Upper House, with general assent from both

the temporal and spiritual peers, was introduced into the House of Commons in its amended shape by Lord Palmerston, with a strong recommendation in its favour. It met on the whole with a very favourable reception; but the approval was not unanimous, —some members objecting to the principle of the measure, as tending to strengthen and extend the system of buying and selling livings, which on religious grounds they deemed highly objectionable. It was further argued by the objectors, that the Bill was vicious in itself, as converting public property, which was held in trust, into private property, and multiplying to a hurtful extent the number of private patrons. To these objections it was answered by Mr. Walpole, that the object of the Bill was, by a legitimate transfer of a right of property, to increase the value of livings, so as to enable the incumbents better to discharge their duties. A great boon was thereby conferred upon the whole community, without the violation of any great principle. He doubted whether the right of patronage was not better placed in private hands, than where it might be made an instrument of political influence.

The Bill passed the second reading by a very large majority, and speedily became a law.

The effect of some recent publications in theology, and of controversies as to the freedom of opinion to be allowed to those who have taken the tests required from persons entering into Holy Orders, and which had proceeded so far as to appeal for solution to the judgment of the courts of law, was not unfelt within the walls of Parliament, where every movement of popular opinion is usually reflected. The consequence was, that the policy and obligations of the Act of Uniformity became on more than one occasion the topic of discussion in both Houses. It came before the House of Commons in two shapes:—first, in a formal discussion of the principles of the Act, which Mr. Buxton invited the Legislature to affirm by Resolution the policy of relaxing; and, secondly, in the form of a Bill, proposed by Mr. Edward Bouverie, the object of which was to relieve certain classes of persons from the obligations which the Act of Charles II. imposed. In bringing forward his motion, Mr. Buxton stated his views as to the existing ecclesiastical polity of the realm in a temperate and thoughtful speech.

The motion, he said, was not brought forward in a spirit hostile to the Church of England. The question was, whether a relaxation of the subscription would injure or benefit the Church, and he cited the opinions of clergymen in favour of the change. Not representing any school of the Church, his main object was to relieve the clergy from what many of them felt to be a grievous burden. He had the highest respect for the Prayer Book, but it contained some things to which reasonable men might conscientiously be unwilling to give their unfeigned assent and consent; and even in the Thirty-nine Articles there were ex-



pressions that had created great controversy and dissension; it was only to the essential fundamental doctrines of the Church that a general assent could be expected; and if Subscription were done away, it would be understood that nothing more was required than a general conformity to those fundamental doctrines. He discussed the objections which he anticipated to his Resolution, and, denying that the proposed change could be regarded as revolutionary, he suggested reasons why it would act as a safe and salutary measure of reform, which would restore to the Church the liberty it enjoyed in its most glorious days. He stated the great diminution of the numbers of graduates at Oxford and Cambridge who came up for ordination, and he was assured, he said, that many persons were debarred from taking orders solely by the necessity of subscription.

“It was not to be supposed that, while the minds of men were ranging freely over every other region of thought, one great field of truth should be tabooed, and tabooed to those very men who were to be teachers and guides of the people. Why, the clergy ought to lead the religious thought of the age. They ought to be ever widening and deepening the knowledge of the people in Christian truth, but the tendency of those restrictions was to hold them in, and force them to follow with timid steps far behind the public intelligence. That was not the true position in which the Church should stand, and the danger was that it might thus become severed from the intelligence of the country. The truth was that, owing to the ecclesiastical causes that had been tried, and the judgments that had been delivered, the subscriptions had become far more stringent than formerly. The doctrines of the Church had unhappily grown more precisely definite; and meanwhile, men’s minds had been learning far greater daring in dealing with truth, and uniformity of belief had become every day less possible. Be that good or evil, no folly could be greater than that of trying to stay that stir of mind with such wretched barriers as these. If the Church still required from young men such an abnegation of all mental freedom, the worthiest would be the first to shrink from such a degrading bondage. Now the cry—the stale and shallow cry—would doubtless be raised of ‘The Church in danger.’ It was wonderful how those who boasted to be the friends of the Church could think so ill of her as to fancy that, were she not fenced in here, and shored up there, she would totter to her fall. During our own time it seemed to him she had been growing, and was still growing, more powerful, more beneficent, and more beloved. To her might be applied the words of the poet:—

‘Higher yet her star ascends;  
Traveller, blessedness and light,  
Peace and truth, her course portends.’

And yet there was danger to the Church. Two policies were

open to her—if she chose to be, not national, but narrow and sectarian; if she drove from her the intellect of the age; if she stubbornly withstood all progress, all reform; if she met the irresistible advance of the human mind, the inevitable growth of religious opinion, the novelties of speculation, the discoveries of science, not with strong and gentle reasoning, but with paroxysms of fear and rage; if she displayed that, which was of all things the most pitiful, the longing to persecute without the power, then, indeed, the day might come when, alienated from all that was most profound in thought and most generous in feeling, she might find herself forsaken and spurned by the English people. A far other career, he believed, was before her. Let men of mind find with her a welcome and a home; let her open her gates wider, and shake off the bonds that cramped her; let her move onward with the age, and lead the van of its religious thought; let her deal tenderly with error, and grapple boldly with truth; and let her ministers be still foremost in every work of mercy;—in short, instead of trusting to outward props, the handiwork of men, let her grow ever more glorious within, more pure, more noble, more profound,—then they need not doubt that their children's children would still cleave to the Church, which their fathers founded and sealed with their blood in the great days of old."

Mr. M. MILNES moved an amendment, limiting the Resolution to the Subscription to the Prayer Book. He did not see, he said, that the taking away Subscription to the Articles of the Church of England would in any degree extend the spirit of toleration. The Articles were the law of the Church, and taking away subscription to them would, in a great degree, impair the validity of that law, and establish an unwritten law—that of public opinion. The Articles admitted of large interpretation by judicial minds, which would not be actuated by a spirit of persecution. His objection did not apply to the other part of the Resolution, to which he gave his support.

Sir G. GREY said he wished to take the earliest opportunity of stating the course which the Government were prepared to take upon this important question. They were of opinion that it would be inexpedient for the House to give its assent either to the original motion or the amendment. At the same time it must not be inferred that the Government considered the law to be in a satisfactory state, and ought not to be altered, with due regard to the interests of the Church. Mr. Buxton proposed that subscription "ought to be relaxed;" but neither he nor Mr. Milnes had specified to what extent the relaxation ought to be carried. He understood that Mr. Buxton was of opinion that all subscription should be abolished. After pointing out cases where the existing law imposed, he thought, unnecessary burdens, and where it would be expedient to simplify it, he remarked that the Resolution would tend to create uncertainty, and raise false

expectations. A change of this kind should not be made without the most careful inquiry into the whole subject. He did not say how alterations were to be made, but a change would be inexpedient, more especially at the present time, without the fullest inquiry by men in whom the Church had entire confidence. The course the Government proposed to take upon the motion was—if the amendment were not pressed—to move the previous question. This would imply, that they would not be unwilling to consider the question of Subscription, so that the securities of the Church might not be weakened.

Mr. Milnes thereupon withdrew his amendment, and Sir G. Grey moved the previous question.

Mr. WALPOLE, after observing that he should have preferred to have had the Resolution directly negatived, adverted to the opinions which had been connected with the question of Subscription by writers who advocated its abolition,—opinions which went much further than either Mr. Buxton or Mr. Milnes was disposed to go. He dwelt upon the danger of withdrawing, by the abolition of Subscription, the only real guarantee of doctrine, and denied that Subscription was the cause that kept away candidates for ordination, pointing out other causes. Before the laws of Subscription were altered, the reasons for which they were passed, and the purposes they were to accomplish, should be carefully considered. The Government had not stated clearly what they intended to do; but, believing that their intention was to negative the Resolution, he thought the House would do well to leave it to them to consider deliberately whether they were prepared to make any proposition, and to state what that proposition should be.

The CHANCELLOR of the EXCHEQUER, after remarking that the course proposed by the Government seemed to have met with the general approval of the House, commended the moderation of Mr. Buxton, especially in not contending for the unfettered liberty of the clergy, making them sole arbiters of what they were to teach; it would be better, he said, to break down at once the fabric of the National Church altogether. He proceeded to review the arguments against Subscription, which had, he thought, on the whole, worked well, and given vigour of action to the Church, the Prayer Book and the Articles forming one harmonious and consistent whole. He denied that the system of Subscription was the cause of the paucity of candidates for ordination. The number of perversions to the Romish Church among the English clergy had destroyed confidence in the young, and created a violent reaction, presenting a strong discouragement to tender minds. With regard to the question before the House, Sir G. Grey had said that it was the opinion of the Government that the present state of the law on the subject of Subscription was capable of improvement; it was, therefore, prudent not to meet the motion with a direct negative. The Government were not prepared to

take upon themselves to propose any change, but to leave it open to consideration whether some improvement was not desirable, in *bonâ fide* concurrence with the ministers of the Church.

Mr. B. JOHNSTONE, speaking from recent experience at the University, asserted, from his own knowledge, that young men were deterred from taking Holy Orders on account of the rigidity of the Subscription. He admitted that it was impossible to trust to law; that there must be tests, and rigid tests; but all that was asked was a relaxation of the present Subscription. At present the Church of England incurred the danger of losing its hold on the educated mind of the country. The Subscription had been imposed by Parliament, which was, therefore, the most appropriate authority to relax its rigidity.

Lord R. CECIL said he could not understand the scruples of the young men who had been referred to, unless, as he believed, the objection was not to Subscription to the Articles, but to the Articles themselves, against which there was a movement. If the concession asked for were made, there would be further demands hereafter. Mr. B. Johnstone had said that the reason why Subscription to the Articles was more burdensome now than it had been during the last 200 years was, that this was an age of ecclesiastical trials. Ecclesiastical trials were not produced by subscriptions, nor would the abolition of subscriptions put an end to such trials. But no doubt the hon. gentleman pointed to the real source of the evil. If they wanted to attract to the Church the young men who now declined it, they must get rid of the law under which these trials were held. The foundations of faith were shaken, and men's minds were casting about for something to believe. It was on that account, as much as on any other, that difficulty had been found in introducing the higher intellects of the day into the service of the Church; and, if they wanted to remove that difficulty, they must go much further than this motion. They must abolish not only Subscription, but all the legal penalties for heresy. They must open wide the gates of the Church, and let into it every species of believer. They must close the doors to none. The day was past when they could keep out the Unitarian and let in the Calvinist. It was now a question of all the deepest and widest elements of their faith, and if they wished to remove the grievances which had arisen, there was nothing left for them but to admit each man to the pulpit to preach, not what his Church maintained, but precisely what he liked, to the congregation. That he apprehended to be the real grievance; that he believed was the only remedy. It was said that the forms of Subscription were a tyranny. He believed that they were a safeguard against tyranny. The mover of this Resolution forgot that if you took away the tests which existed by law, the officers of the Church would take measures to protect themselves. The Bishops could refuse ordination to any man they liked. They could close the doors of the Church as narrowly as they pleased. Hitherto they had abstained



from taking such a course; but as soon as the legal guarantee was gone, and they knew that the necessity for ordination was the only check which prevented the pulpits of the Church being occupied by persons who absolutely disagreed with its doctrines, they would set up checks and tests of their own far more rigid than those which it was proposed to abolish.

The feeling which had grown up in the present day against these tests was not to be regarded as a settled or permanent one. For two centuries these tests had been cheerfully and honestly subscribed by successive generations of clergymen. And from the fact that for 200 years the Church had flourished under the system which they desired to abolish, could they not draw the conclusion that the present melancholy state of things was only transitory? However bad it was, however disgraceful it might seem, however much they might desire to remedy it, there was, it seemed to him, ample comfort in the facts before them. They knew that human nature did not change so much, that the spirit which had reigned before would reign again, and that in future, as in past years, they would see men of deep piety and fervent devotion able to spend a life of usefulness in the service of the Church, and able to accept these tests without reluctance, and without the slightest tampering with their consciences, just as they had been able to do through the years which had been the glory and the fame of the Church of England.

Mr. DISRAELI said it was contemplated two centuries ago that there should be a standard of religious truth established by the State; but we were now to have a new system, which was to bring on a state of affairs more comprehensive. But he doubted whether this was a sound system. A Church might be so comprehensive that nobody knew what it comprehended. There was nothing new and nothing alarming in the periodical appearance of a particular branch of literature, to render it necessary that there should be an alteration of the Act of Uniformity. There was nothing in this phase of opinion that required Parliament to revise the great title-deed of the Church of England. He had not heard any argument against the wisdom of maintaining the Church of England; and how could we have a Church without a Creed, Formularies, and Articles? If there was to be a Church, it must have symbols of union among those who were in communion with it. He believed there was no ground for the course recommended by Mr. Buxton; but if the House was of opinion that the title-deed of the Church ought to be revised, the inquiry should not originate in the House of Commons, but should come from the temporal head of the Church—the Queen, by a Royal Commission. But he preferred to stand as we were.

The previous question having been put and carried in the negative, Mr. Buxton's Resolution fell to the ground.

The object of the Bill which Mr. E. P. Bouverie obtained leave

to introduce, was to repeal a particular clause in the Act of Uniformity, which required several classes of persons to make a declaration of conformity to the Liturgy of the Church of England, and which operated as a barrier against Nonconformists, otherwise qualified to obtain fellowships and other academical rewards at the Universities.

The motion was opposed by Mr. Walpole, Sir W. Heathcote, and Lord Robert Cecil. It was objected to as involving the principle, that the government of the Universities and Colleges and the endowments might be acquired and held by persons not members of the Church of England; which principle had been twice deliberately considered by the House and negatived. If this alteration was made, every member of the Universities might have his own religion or no religion at all, and the very foundation of those institutions would be shaken.

Lord STANLEY supported the motion, believing that there would be left ample security, after this test had been abolished, for the rights and privileges of the Universities. Lord Palmerston expressed a reserved assent to the introduction of the Bill, which he did not pledge himself to support, but he thought that full time ought to be given to the consideration of the question. Leave was given to bring in the Bill after a division of 157 in its favour against 135, but no practical result followed its introduction. Towards the end of June, Mr. Bouverie finding, as he said, no prospect of obtaining sufficient time for the consideration of his Bill—which had in the mean time been threatened with serious opposition, petitions from both Universities having been presented against it—requested leave to withdraw it for the present year, with the intention of introducing it anew early in the ensuing Session. After a protest against the principle of the measure, from Mr. Walpole and Sir W. Heathcote, it was accordingly withdrawn.

Upon another motion made by Lord Ebury in the House of Lords, in favour of altering the Act of Uniformity by repealing the clause which required from the Clergy of the Church of England a declaration of their assent and consent to every thing contained in the Book of Common Prayer, a very interesting discussion took place. It was argued by Lord Ebury that the law in its present state was neither a benefit nor a safeguard to the Church, but pressed heavily on the consciences of many who had subscribed to the declaration, and prevented many hundreds of young men from entering the clerical profession. In laying his case in favour of a diminution of the tests now exacted before their lordships, the noble lord said, he thought he could not better describe the system which he desired to modify, than to trace a candidate for Orders at the University of Oxford through his career of oaths, affirmations, and subscriptions, from his taking his Master's degree to the end of his life. Upon taking his Master's degree, he must subscribe the Thirty-nine Articles according to

the enactments of the 13th of Elizabeth, together with the Three Articles of the 36th Canon, the first of which is the oath of allegiance and supremacy; the second, a declaration that the Prayer Book does not contain any thing contrary to the Word of God; the third, that every one of the Thirty-nine Articles is agreeable to the Word of God. Having complied with these forms, he became, if otherwise eligible, a Master of Arts, and proceeded to the bishop for ordination as deacon, possibly, only a few days after, when he was compelled to make the whole of these declarations over again, with the addition of another—the oath of supremacy and allegiance required by the 1st of Elizabeth. By this time they might have supposed that this candidate for the ministry might be entitled to be considered a safe man. Not so, however; for so jealously did the Church guard the portals of its ministry from the possibility of even the slightest entrance of error, that when, probably, the following year, he asked for Priest's Orders, the whole of these declarations and subscriptions had again to be gone through before he could obtain his wishes; and, not content with this, lest any slippery heterodox fish should escape through the meshes of this orthodox net, should he obtain a benefice, again must the whole ceremony be performed, with two additional declarations enjoined by the Act of Charles II.—one, that he would conform to the Liturgy of the Church of England, the other, that he gives his unfeigned assent to all and every thing contained in and prescribed by the Book of Common Prayer; and, whenever, during the remainder of his life, he moved from one living to another, the same series of oaths, declarations, and subscriptions must be renewed, so that, however faithfully he might have delivered the Gospel message, nothing but the grim hand of death itself could free him from the requirements of the law. He remembered now, however, that so far from having over-stated the case he had under-stated it, for he had omitted two oaths, one of canonical obedience to the bishop, the other against simony, which must be added to this intricate list, not to mention a string of queries, involving subjects of a like nature, put by the bishop to the candidate and responded to in terms prescribed by authority. Thus, then, they had six declarations of assent to the Prayer Book, seven oaths of allegiance and supremacy, and nine assents to the Articles, besides the other oaths. This was swearing with a vengeance, exacted of those who were the *élite* of morality and religion in the community. If Parliament should assent to his proposal, and repeal the obnoxious clause of the Act of 1662, there would remain still required by law the oaths of supremacy and allegiance, a subscription to the Articles in the terms of the 13th of Elizabeth, and a declaration of conformity to the Liturgy required by the Act of Charles II.; and he thought, if these declarations and subscriptions were required once in a clergyman's life, all would be performed which the most timid need require. If the present system of subscriptions had been merely redundant

and useless, he should not have troubled their lordships on this occasion; but when he found that it was at this time rending the Church in pieces and steadily undermining her foundations, and when the country was scandalized at the sight of men, all making the same solemn asseverations, yet preaching antagonistic doctrines and mutually casting imputations at one another, it was high time to inquire into the policy of maintaining these stringent tests, which, while they kept great numbers of conscientious men out of the pale of the Church, had produced within her fold neither peace nor unity, nor even a barren uniformity of doctrine.

The motion was opposed on various grounds. The Archbishop of Canterbury, who took the lead, did not deny that the declarations now required might be simplified, but the real point at issue was, whether clerical subscriptions should be required, or not, to her doctrines? The terms of Subscription required a clergyman to declare his assent and consent to every thing contained in the Prayer Book; but there was good reason for believing, with many learned and distinguished divines, that, according to the Act of Uniformity, the Subscription was merely a subscription to the use of the Liturgy. No one, it was true, with a safe conscience, could use the language of the Prayer Book without believing it; and here he must say that he could not conceive how the proposed change could give any real relief to a well-informed conscience. If a clergyman promised to "conform" to the Liturgy, he must mean, of course, not only that he would read it, but that he believed it to be Divine truth. He could not conform to it in any other sense, unless he was prepared to say that he would read that which he did not believe. The declaration had been in force for 200 years, yet it was only within a very recent time that the paucity of candidates for Holy Orders had been experienced. There were other causes which would account for this circumstance: such as the alteration in the relative value of this and other professions which had taken place, and the opening of new careers in commercial and other pursuits. On the whole, he did not think that in the present instance relief was called for, or that it would be afforded by the proposal now made.

Similar grounds of objection were taken by the other peers who opposed Lord Ebury. Lord Lyttelton thought they should look into the purpose with which the present alteration was proposed, and to the opinions of the majority of members of the Church of England on the question. After the experience which they had of the latitude of opinion which clergymen of the Church of England possessed, and when they knew that many of the clergy conformed to the Church while holding opinions quite different from her teaching, he thought it would be unwise to make the alteration proposed.

The Bishop of Oxford took a distinction between the declaration which it was proposed to repeal and the declaration which would still remain in force if this were removed. The one implied



an intellectual, moral, and believing assent to those formularies, which the other only undertook that the recipient should use. To take away the former at the present time would be understood to mean, that a man might satisfy the Church, provided he undertook to conform to the outward ritual, while in his heart he was at liberty to deny its truth. If there was any danger more than another now threatening the Church, it was the notion that men might safely and honourably undertake the responsibility of remaining in her communion, that they might minister in her congregations, and read her Liturgy and Psalms, while they disbelieved her doctrines. While, therefore, he thought that all subscriptions were in themselves a great misfortune, and while, if they were now to be enacted *de novo*, he would not adopt them, yet when he was asked to make this particular alteration, because the tendency of this declaration was to keep conscientious men out of the Church, he must express his conviction, that its removal would not add one conscientious man to the ministry of the Church, but that, on the contrary, it would leave others free, as they might suppose, no longer to believe with their hearts what they spoke with their tongues.

The Bishop of LONDON supported the motion, believing that the declaration in question was not only useless, but mischievous. It had been his lot to be thrown in the way of persons who experienced the difficulties which this declaration offered to some conscientious minds. For his own part, in explaining the declaration to any of his clergy, he would gladly adopt the interpretation given by the most rev. Primate, and impress on them that all that was really required was, that they should be able honestly and conscientiously to use the Liturgy. At the same time, it was an unfortunate fact that certain words had crept into the declaration, which to men of scrupulous consciences had the appearance of meaning more than that. It was of the utmost importance that all declarations should be couched in the most explicit language, so that no one should have any difficulty in understanding their meaning. Under the peculiar circumstances of the present time, they ought to be cautious in their dealings with young men seeking to enter the Church. He knew that there was an unwillingness on their part to bind themselves more than was necessary, and therefore it was desirable to tell them exactly what was required from them; and that the words employed should stand in need of no casuistry to explain their meaning. Of course, the great mass were not troubled with any such scruples; but earnest men were often the most troubled about these things, and if any persons of that description were prevented from approaching or remaining in the Church, or were made, after ordination, to look back as if they had made some mistake in using the words which the noble lord proposed to abrogate, that in itself constituted a strong argument for their removal. The declaration was unnecessary for another reason than that he had already given. A person might attain the

highest eminence in the Church of England, and exercise the greatest influence, without ever being called to make this declaration. He had held five different positions in the Church,—curate of a parish, tutor of an influential college, head master of a great school, dean and bishop; and in only one of these—the Cathedral office, which had the least influence as far as regarded the teaching of the Church—was he called upon to make the declaration. There was, therefore, something utterly capricious in the way in which the declaration was required, and he should be very glad to get rid of the words, which were a relic of the vile persecuting spirit which dictated the drawing up of the declaration. His own case was not at all singular. He knew at least one other prelate who had occupied a number of important offices without making the declaration.

The Bishop of ST. DAVID'S said that he would vote for the motion, if Lord Ebury should press it to a division; but he regarded the declaration itself as of insignificant importance, it being virtually identical with that which it was intended to retain, and the real and obvious interpretation of it being, that the persons making it found nothing in the Prayer Book to which they could not conscientiously conform.

Earl GREY expressed his strong repugnance to the mode of explaining the declaration and removing conscientious scruples as to its terms which had been suggested by the Archbishop of Canterbury. He considered it most dangerous to teach young men to take a declaration, of which the words conveyed an unfeigned assent and consent to every thing that was contained in the Book of Common Prayer, including the damnatory clauses, and to tell them that the words did not mean what they appeared to convey, but meant something else. He thought the mere fact that prelates of the Church, when consulted by young men as to whether they should take the declaration, sought to remove their scruples by such assurances, was of itself a proof that some such measure as this was required. He could conceive nothing more corrupting or demoralizing than to teach young men that they could safely make a declaration of so much importance and of so solemn a character, by construing its terms in a non-natural sense.

The House rejected Lord Ebury's motion upon a division, there being 50 for, and 90 against, the proposition.

Another occasion on which the principles of ecclesiastical government and religious toleration came under discussion in the House of Lords, was upon a motion by Lord Ebury for an address to the Crown, praying for the appointment of a Commission to consider the complaints made in respect to the compulsory use of the Burial Service of the Church of England. The noble lord explained that his object upon the present occasion was the same as when he brought the subject forward two years ago, namely, to relieve those clergymen who had conscientious objections, from the penalties imposed by law for refusing to perform the burial service over

the bodies of persons who had died notoriously in the midst of a career of crime. On the last occasion the late Archbishop of Canterbury had supported his motion, and, in fact, he had met with scarcely a dissentient opinion with regard to the hardship he wished to see remedied. The difficulty was that, while there were certain persons who were regarded by the Church as excommunicate, the law compelled the clergyman to read the burial service, including that portion which alluded to the blessed hope of future salvation. In such cases as that brought before the public some years ago, where a man in a state of beastly intoxication went reeling out of a public-house into a ditch, and was suffocated, it could hardly be said that Mr. Dodd, the clergyman, was to blame in refusing to perform the service. Yet he was suspended for three months, and mulcted in the costs of fourteen months' litigation in the Arches Court. He did not wish to lay down any specific form of remedy, but he thought the mode adopted in the American Prayer Book would answer the purpose by making the expression of the hope of salvation more general.

The Archbishop of CANTERBURY thought the great difficulty would be that, in proposing to alter a portion of the burial service, they would be re-opening the whole question of the revision of the Liturgy. He was aware, however, that great anxiety was felt at times by the clergy, and he had been consulted by them himself. His answer had always been, that where a man had been known to have lived and died in a persistent course of sin, he should certainly refuse to perform the service, whatever legal penalties might follow. He could not, however, give his consent to the motion without having more time for himself and his right rev. brethren to consider the question.

The Archbishop of YORK said there were three modes in which the matter might be dealt with. The words of hope in the service might be used in all cases, or in none, or only on special occasions, at the request of friends of the deceased. He thought there were very few cases where a clergyman would willingly omit to use them, and the rule was to use the words in all cases. If omitted entirely, he saw very little consolation to be derived by the mourners from the remainder of the service; but to give a discretionary power to the clergyman would be to set up at once between 12,000 and 13,000 judges of the hope of salvation of a dead man's soul. Not that that would affect the man himself at all; but it would cause frequent painful scenes with sorrowing relatives at a moment when no one would willingly desire to add to their grief. He doubted whether that House, however, was the best possible place to decide the question; and he trusted his noble friend would withdraw his motion, and leave it to the bishops, after full consideration, to originate the necessary measure of relief.

Several peers, among whom were some of the bishops, thought that the present question was one more fit for Convocation than for Parliament to deal with.

The Bishop of LONDON suggested a point which relieved the case of some of the supposed difficulty in practice. It was important that it should be known that no one could proceed against a clergyman for not reading the burial service except his own bishop. It was now settled by the Church Discipline Act that all such proceedings must originate with the bishop; and was it conceivable that a case was likely to arise, in which any member of that bench would proceed against a clergyman under the circumstances that had been supposed? Suppose, then, a case like that of Mr. Dodd occurred. That was not an improbable thing, for only last week one of his own clergy had told him that a difficulty of this kind had occurred to him; and he had stated to him that, if the matter had been laid before him, he would have advised the clergyman either to act as he had done, or in a very similar way, and that then he, as bishop, would have been ready to take upon himself any difficulties arising out of the matter. It was for that bench to relieve the clergy from any such difficulty, and if there were to be a prosecution, he felt confident it would be against the bishop, not the clergy, under the present state of things.

The LORD CHANCELLOR protested against the view of the law taken by the Bishop of London. The right rev. prelate, he said, had committed a mistake in the law in stating that a clergyman might do this with impunity, because the bishop would sanction the refusal of the clergyman, and would undoubtedly decline to put the law into force against him. Now, unless these momentous declarations were qualified, and accompanied by a promise of action on the part of the episcopal bench, their lordships would find hundreds of instances, giving rise to great difficulty and to great indecency, in which clergymen, acting on the advice of their most illustrious and most reverend monitors and guides, would refuse to comply with the law. What would be the position, for example, of the most rev. prelate? A clergyman in his diocese refused to obey the law. Some individual came to him as bishop of that diocese, and called upon him to enforce the law. The clergyman said, "I have acted with the sanction and approbation of my diocesan." Accordingly, to be consistent, the most rev. prelate would himself be compelled to incur all the penalties of the law rather than enforce the law, to which he was as much bound to pay obedience as to the Church.

Earl RUSSELL thought the question would be best left to the right rev. bench of bishops, but he hoped no general discretion would be given to all the clergy to use the burial service or not, as they thought proper. Neither would he lodge the power of decision with the bishop, because that would lead to many painful conflicts. He had been told it was a doctrine of the Roman Catholic Church that of no person whatever, however great his crimes, could it be said there was absolutely no hope, because in the very last moment there might be that faith which would afford



some hope of salvation. He should be sorry to see the Church service so altered as not to be consistent with such a feeling of charity towards the dead.

Eventually Lord Ebury offered to withdraw his motion, on condition that the bench of bishops would undertake to consider the subject, and suggest some remedial measure, which the Archbishop of Canterbury having undertaken on behalf of his right reverend brethren to do, the discussion terminated.

The annual motion on the grant to Maynooth College, which was this year taken in charge by Mr. Whalley, produced but a short debate, devoid of novelty or interest. Mr. Whalley contended that the experiment had proved a failure, and had frustrated the expectations of its promoters. Under the operation of the Act, the Jesuit, or Ultramontane system, had been substituted for the Gallican. All he asked was, that the grant should no longer be removed from the control and supervision of the House of Commons, but that being made annually by vote, the College should have the opportunity of defending itself from the charges that were brought against it. The motion was supported by Mr. Newdegate, who argued that the College having become a mere monastic institution, and seeing that, even in Roman Catholic countries like Spain, it had been found necessary to reduce such establishments, it was an anomaly to give them Parliamentary support in a Protestant country.

Sir R. PEEL, as Secretary for Ireland, defended the Endowment Act, and said it would be most intolerant on the part of members of the Established Church, to deprive their Roman Catholic fellow-subjects of the educational advantages which they derived from the establishment and efficient maintenance of the College.

The motion was negatived, after a short debate, by 198 to 109 votes.

The state of the Established Church in Ireland,—a question which thirty years before had excited the greatest political commotion, had formed the battle-ground of parties in Parliament, and involved the fate of Cabinets, but which since the abandonment of the famous Appropriation Clause in 1838 had slumbered in abeyance,—became this year again the subject of animated discussion. The question was raised by Mr. Dillwyn in the House of Commons, in the form of a motion for a Select Committee, "To inquire how far the present distribution of endowments for religious purposes throughout Ireland may be so amended as most to conduce to the welfare of all classes of Her Majesty's Irish subjects; to search the journals of this House for any resolutions passed since the Act of the 39th and 40th George III., cap. 67, having reference to the application of any surplus revenue arising from ecclesiastical endowments in Ireland; and to report how far such resolution or resolutions appear to have been subsequently carried into effect."

In proposing this motion, Mr. Dillwyn admitted that it was

one which ought to be taken in hand by the Government, and supported with all the weight and influence at their command. But since the present Ministers declined to stir in it, he thought it became the duty of Parliament to interfere, and urge upon them an inquiry into an institution which was a source of weakness and dissension to the country. He adverted to the past and present history of Ireland, and to the gross injustice with which he considered that country had been treated, expressing his surprise that the Irish had been so quiet. The cause of the unsatisfactory state of things in Ireland was mainly traceable, he contended, to the position of ecclesiastical affairs in that country, and to the condition of religious endowments there. He asked, he said, only for inquiry and further evidence, so that he need make out no more than a *prima facie* case, and he read authorities which testified to the fact that the present distribution of Church property in Ireland had been the cause of the Irish "difficulty," and was the root of the evils that afflicted that country. He denied that the Act of Union interposed any obstacle to an interference with the temporalities of the Irish Church, which might be dealt with as well as those of the English Church; and he could see no justification for the maintenance of the Irish Church in its present state. The only pleas offered for its maintenance were political necessity, national strength, and the interests of religion. He examined these several pleas, insisting that there was no political need of such an establishment as the present Irish Church; that it was a source of weakness instead of strength, and as a missionary Church, in which light it must be regarded, that, apart from voluntary aid, it had failed. A rearrangement of the revenues of the Irish Church, he believed, would soon be forced upon Parliament, and the best preparation for the change would be the appointment of a Committee in the terms he proposed.

An amendment to this motion was moved by Mr. H. Seymour, who urged the appointment of a Royal Commission to inquire into the statistical condition of the Irish Church, the population and income of the several parishes, the relative numbers of Protestants and Catholics in each, and other particulars, with a view to a practical reform of the system.

The defence of the Irish Church was undertaken with much energy by Mr. Whiteside, who firmly opposed both the motion and the amendment. He observed that the panacea which Mr. Dillwyn had suggested for the evils he had discovered in Ireland was the abolition of a branch of the Christian Church. Was it, he asked, because the House had so little to do that it was to attack the Church? If it was called upon to consider the foundation of one of the great institutions of the realm, ought the office of proposing this question to be undertaken by a private member? Mr. Whiteside then applied himself to the arguments, or, as he termed them, the rash conjectures, of Mr. Dillwyn,

reviewing the history of the early Irish Church, and dilating eloquently upon the policy of James I., which he characterized as a magnanimous policy. In connecting the Church with the State in Ireland there were obvious reasons, he observed, why the Church should not be that of the majority. He complained that the property of the parochial clergy of Ireland had been magnified by taking gross incomes for net incomes, and stated the number of new churches and chapels of ease built at the cost of the Church revenues, besides augmentations of small livings. He insisted that the Irish Church was guaranteed by the fifth Article of the Union, which pledged England to its maintenance, observing that, if its property were voted away, the Act of Union was valueless. After pointing out errors in the details of Mr. Dillwyn's speech, and showing that the effect of the teaching of the Irish clergy was exemplified in the emigrants from Ireland to America, he concluded a speech of much power with declaring that, in his opinion, the Irish Church was mainly to be defended because it was connected with the Reformation, and that from that date it had held up the lamp of truth.

The most conspicuous speaker, however, who took part in the debates on this question was Mr. Bernal Osborne.

In a speech marked by the wit and pungency which distinguish the style of this popular speaker, the member for Liskeard set forth, with great fulness of detail, the anomalies and abuses which he considered to disfigure the establishment, and to counteract those advantages which a well-organized National Church is calculated to afford. He regretted, he said, the position of this question, long the stalking-horse of the Whig party, but no longer in favour with the Treasury bench. In spite of the apathy of the House and the disinclination of Ministers, it would not be possible for any long period to refrain from dealing with the Ecclesiastical settlement of Ireland. The question was, not whether the Irish Church was to remain as it was, but whether it was possible to maintain it without extensive reforms. He proceeded to cite the opinions of Lord Carlisle (when Lord Morpeth), Lord Palmerston, and Sir G. Grey on the subject, and declared that he had no desire to uproot that establishment, or to confiscate its funds, but the question was, whether, looking to the interests of the Christian religion and of Protestantism, and to the mischievous tendency of the establishment, the House was not bound to consider how to reform an institution founded in violence, and which was at once a blunder and a fraud. He adverted to the arguments put forward in defence of the Church by Mr. Whiteside, comparing (in refutation of those arguments) the Establishments of England and Ireland in relation to the number of Protestants, specifying examples which, he observed, could not be paralleled in any other country in Europe. He might be asked, what remedy could be applied to such a state of things? He

answered, an extension of the provisions of Lord Stanley's Irish Church Temporalities Bill, a reduction of the number and incomes of the Irish bishops, cutting down the number from twelve to six, and their incomes at least one-half. He then considered the state of the parochial clergy in Ireland, among whom, he said, were some objectionable men. He contrasted the small number of Protestants in various parishes in Ireland (including considerable livings) with the large incomes enjoyed by the bishops and clergy. In some of the parishes there were no Protestants. He called for an answer to these facts, and he prescribed the same remedy as in the case of the bishops—the reduction of the number of the parochial clergy, many of whom were non-resident, and the transfer of large incomes, where there were small congregations, to parishes where the congregations were large and the incomes small. He contended that the parochial system in Ireland was nearly nominal, and that the congregational system should be substituted for the territorial. It was said that the Irish Church was a missionary Church, but he protested against the monstrous deceptions practised upon old ladies in this country with regard to missionary societies in Ireland. Some statements in respect to the operations of these societies Mr. Osborne read, with comments which excited considerable mirth. Although the Act of Union had been thrown in their faces, he appealed to authorities to show that the fifth Article did not prevent Parliament from dealing with the Irish Church establishment. In conclusion, he arraigned the management of Irish Church property by the Ecclesiastical Commissioners, and urged the necessity of a searching inquiry into the present Ecclesiastical settlement of Ireland.

The arguments of Mr. Osborne were supported by Mr. Monsell, Mr. Hennessey, and the O'Donoghue. They insisted that the maintenance of the Irish Protestant establishment in the midst of a Catholic nation was a violation of national rights, and an anomaly not to be found in any other part of Europe. And they declared that the rejection of the motion would be regarded by the Irish people as a recognition and sanction of a system of injustice.

The views of the Government were expressed by Mr. Cardwell, Sir George Grey, and Sir R. Peel. The former, who followed Mr. Osborne in the debate, opposed the motion mainly on the ground that to adopt it would be to re-open a controversy which had convulsed and disorganized Ireland. The object of the motion evidently was, not to have a Committee at that period of the session, but to obtain the assent of the House to an abstract resolution. He believed that the House would not surrender the principle of an Established Church in Ireland, or consent to alienate the property of that Church. The ground he took was a practical one. He put it to the House whether they would grant a Committee to inquire into the large question of an Ecclesiastical



settlement in Ireland, a proposal to which he considered it would not be wise to consent.

Sir R. PEEL addressed himself especially to the task of refuting Mr. Osborne's speech, disputing the accuracy of his statistical details, and meeting his satirical sallies in a similar strain of jocularly and humour. Mr. Osborne, he said, had drawn upon his imagination for a terrible picture of the state of the Irish Church, which he called a political blunder and a pious fraud. Yet he had told them that he did not desire to uproot this product of a pious fraud. This question had often been the battle-field of political strife; but it had been interred in 1838, and there was no necessity for resuscitating it now. What was the object of the motion? To appoint a Select Committee in the month of July. By the Act of Union the Irish Church was united to the English Church, and any change must be effected by the concert and combined action of Churchmen in both countries. He accused Mr. Osborne of errors and exaggerations in his statements of the revenues of the Irish bishops, the numbers of Protestants, and other points; and from statistics he drew conclusions differing from those of Mr. Osborne, who had said that the clergy in Ireland were too highly paid. In Scotland they paid their ministers, under the voluntary system, a higher rate than that at which the Irish clergy were paid. He was certain, he said, that the House would adopt the view taken by Mr. Cardwell; that it was impossible for the Government to give their assent to this motion, which, if carried, would be a preliminary step to an inquiry into the Church establishment of this country.

Sir HUGH CAIRNS also impeached the accuracy of Mr. Osborne's statements, and his arithmetical data in many respects, and challenged his picture of the Irish Church as inaccurate and exaggerated in no ordinary degree. This was not a motion, he observed, to amend or improve the Church of Ireland, which could not be improved by a motion of this kind. The Lord-Lieutenant had powers of dealing with the Church, and that was the sort of improvement and amendment which the Church of Ireland required. Mr. Osborne had not shown that there was any thing extravagant or unnecessary in the expenditure of the Irish Church, and the number of Episcopalians had increased relatively to the aggregate population of Ireland.

The motion for inquiry, after being discussed on three several nights, was disposed of without any direct decision of the House. A motion for the adjournment of the debate having been negatived by a division of 228 to 67, it was then moved that "the House should adjourn," the practical effect of which was to drop the question. To this motion the Government did not object, and the House adopting it *nem. con.*, the matter was thus disposed of.

The subject of National Education, which had in the preceding Session engaged so much of the attention of Parliament, was this

year more summarily dealt with. Mr. Lowe, in moving the vote of 804,002*l.* for this purpose, gave a short explanation of the operations of the past year, and of the alterations made under the Revised Code, with the results of examinations.

The expenditure of the last year had been 774,742*l.*; the number of children actually in the schools was 1,057,476, and school accommodation had been provided for 1,378,000. With respect to the training colleges, he stated the measures taken to remedy the three evils attending them—namely, that they had almost ceased to be voluntary institutions; that, though they provided an excellent education for teachers, there was no security that they would apply the knowledge they acquired to the purpose of teaching; and the false principle of making it the office and duty of the Government to adapt the supply to the demand. The new Minutes likewise made a small increase of the salaries of inspectors, and relieved them in their duties under the new system by providing them with assistants.

The vote was agreed to after a short discussion.

A more important debate took place upon a motion made by Mr. Walter, affecting somewhat largely the cardinal principles of the existing system. In the preceding Session the same member had contended against the condition imposed by the Committee of Council, that all schools receiving the grants of public money should be under certificated masters, and he was only defeated in his motion against the enforcement of that regulation by a narrow majority. This Session Mr. Walter renewed his opposition to the limitation in question. After tracing the origin of the system of training colleges and pupil-teachers, the foundation of the existing Educational Code, he stated the amount of the Privy Council grant—namely, in round numbers, 800,000*l.*, and the number of children benefited by the grant, namely, about 1,000,000;—so that every child cost the country the large sum of 15*s.* The total number of children entitled to be benefited by the grant was more than 2,000,000, upwards of 1,000,000 not being in any way recipients of the benefit. What he proposed was, that the capitation grant of 8*s.* should be open to all children who should pass examination to the satisfaction of the inspectors. He observed that the vast and complicated machinery of the present system of training was kept up for the sole purpose of teaching little children, from six to twelve years of age, the first rudiments of education. He deprecated the sanction of the House to such a system, and with respect to the scheme of pupil-teachers, he had, he said, no objection to their employment, and that of certificated masters by those who liked them; what he complained of was, that the Government insisted on forcing them upon managers. Regarding all these points Mr. Walter entered copiously into details, citing many testimonies in confirmation of his views, and pointing out a feature of great hardship under the present system, in the burden which fell upon the parochial clergy in order to

support schools denied the benefit of Government aid. He did not propose to subsidize private schools, except one description,—namely, Ragged Schools, which, he thought, ought to be included in the grant, if they complied with the requisite test.

He moved the following Resolutions, which were seconded by Mr. Buxton:—

“1. That the sums annually voted by Parliament for educational purposes ought to be made applicable to all the poorer schools throughout the country (not being private schools, or carried on for profit) in which the attendance and examination of the children exhibit the results required, under the Revised Code, by Her Majesty’s Inspectors of Schools.

“2. That to require the employment of certificated teachers or of pupil-teachers by school managers, as an indispensable condition of their participation in the Capitation Grant, is inexpedient and unjust to the managers of such schools.”

Mr. LOWE, in opposing the motion, pointed out what he considered to be a contradiction between the Resolutions and the speeches of the mover and seconder, as well as the extravagant length to which the propositions contained in the Resolutions would lead, and the consequences which would result from the desired concessions, in the deterioration of the schools and the increase of expense. The object of the Committee of Privy Council, in the administration of the public grant, was to raise the character of education; and he defended the course they had pursued, which had put an end to irregularities and banished wild notions on the subject of teaching. After examining some of the objections to the Revised Code, he stated what was the real intention of that Code. The quality of the teaching had been excellent, but the Royal Commissioners had found it deficient in quantity, and he explained the measures adopted to remedy this defect. The grievance of which Mr. Walter complained, as regarded teachers, he insisted, was of small amount, and he denied that there was any thing in the Government requirements which savoured, as alleged, of monopoly. The system of the Revised Code, he observed, was yet untried, and, in deference to the wishes of the House, it had been deprived of much of its original vigour; but he maintained that, for reasons which he had stated, the Privy Council ought to adhere most firmly to the rule that no aid should be given to schools without certificated teachers. He could not rely, he said, upon managers, or even inspectors, there being many requisites in schools which neither could secure. The teacher was the life and soul of the school. He hoped, therefore, that the House would not give up the employment of certificated teachers, as an indispensable condition of participating in the public grant. If the existing system was not broken down, he was most sanguine as to the result.

Mr. ADDERLEY, giving full credit to Mr. Walter for the perfect fairness of his proceeding, observed that the effect of his Resolu-

tions was to endanger, at least, the principal features of a system which had subsisted so long and had cost so much. The intention of the Resolutions was to establish an exceptional treatment of poorer schools, but nothing was more mischievous in a public grant than to make exceptions to a rule. It would be to grant more money on easier terms to those schools which least fulfilled the conditions. He denied that the poorer schools could not be got within the grant; they could, but they would not, and were self-excluded. He defended the institution of training colleges, which supplied the best masters at the cheapest rate, and at which the Resolutions struck a fatal blow, breaking down the whole system.

Mr. HENLEY reminded the House that the community was paying 1*l.* in the pound income tax for the education grant, and the Royal Commissioners said the people were not taught. Those who paid the tax wanted some of the grant; but the Government refused unless their trained teachers were taken. He admitted that this was a most difficult problem to deal with. Was Mr. Walter's motion, then, likely to bring home to small places some benefit in return for the money they had been long paying and getting nothing, or was it necessary to attach certificated masters to the schools? Was every master to be a paid servant of the Committee of the Privy Council? He repeated what he had before said, that the Privy Council system should be more elastic, and, believing that the Resolutions had a tendency to make it so, he should support the motion.

After some further debate, the first Resolution was withdrawn, and the second was negatived on a division by 152 to 117.

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## CHAPTER IV.

Foreign Policy of England—Debates and discussions in Parliament upon transactions abroad—Affairs of Russia and Poland—Interruption of diplomatic relations between Great Britain and Brazil—Operations in Japan and in China—The dispute respecting Schleswig-Holstein—The Civil War in America—Embarrassing state of our relations with the Federal Government—Debates in the House of Lords respecting recognition of the Southern States—Important declaration of the Secretary for Foreign Affairs—Motion of Mr. Roebuck in favour of recognition and debate thereon in the House of Commons—Withdrawal of the Motion on the suggestion of Lord Palmerston—Controversies on International Law between this country and the Federal Government—Evasion of the blockade and contraband trade carried on by British merchants with the Southern States—Building of ships of war in this country for the service of that Power—Cases of the "Alabama," the "Alexandra," and other vessels—State of public opinion—Charges against, and vindication of, our Government for their conduct in these transactions.

THE discussions upon foreign affairs which from time to time take place in the British Parliament exercise, it may be safely averred, no unimportant influence upon the transactions to which



they refer. The declarations of Ministers of the Crown, as well as the free utterance of independent members of the Legislature, being copied into foreign newspapers, are read and discussed in distant capitals, exercise their influence on the judgment and opinion of multitudes, and no doubt often contribute with other elements to influence the counsels of kings and statesmen. A country which is itself governed, as England mainly is, by public opinion, affects also by the expression of that opinion the foreign Governments with which its own is brought into contact. The expression of Parliamentary criticism upon external affairs is indeed, on account of the weight it carries with it, a power to be used with caution and reserve; and for that reason it is in any critical posture of affairs usually deprecated by Ministers of the Crown, and, to the credit of Parliament, not often recklessly indulged. But, on the other hand, when a fitting occasion arises, and when a voice lifted up in the cause of humanity and justice may arrest unscrupulous aggression, or restrain the excesses of arbitrary power, such a voice has often been uttered with decisive effect; and the exercise of that moral power forms one of the noblest functions of a free Legislature.

Among the occasions which arose during the present Session for declaring the sentiments of the English nation upon the policy of foreign powers, the insurrection in Poland, and the stern measures used by Russia for its suppression, formed one of the most prominent and frequent subjects of debate.

In the House of Lords, the ground was first broken by Lord Ellenborough, who, a fortnight after the meeting of Parliament, moved for the production of papers relating to the immediate origin of the insurrection in Poland, and for communications between the Russian and Prussian Governments.

The noble lord, in a speech of much earnestness and force, remarked upon the unexpected nature of this movement. He had hoped, from the spirit of conciliation lately evinced by Russia towards Poland, that a reciprocal good feeling had sprung up. But the conduct of the Russian police had entirely frustrated such expectations. After having made themselves acquainted with the political opinions of all in Poland capable of having an opinion, the police, on the night of January the 21st, without warning, seized and tore from their homes, in the most ruthless manner, for military service, not those who were fittest for a military life, but those whose political opinions were distasteful to them. This was the cause of the outbreak, and, in his opinion, no other course was open to the Poles, when there was no security for a man in the midst of his family. The revolt was provoked by the Russian Government; and he hoped that Her Majesty's Government, if they so thought, would express that opinion to Russia. Already the results of the insurrection had isolated Russia from the European system, and excited an intense sympathy in France which could not be ignored by the Emperor.

Having eulogized the course adopted by Austria in the matter, and strongly stigmatized the arrangement entered into by Prussia for aiding the Russian Government in suppressing the insurrection, he concluded by expressing a confident hope that a constitutional kingdom might yet arise in Poland under the auspices of a free and noble people.

Earl RUSSELL could not give the report of the Consul-General at Warsaw, as it might place that gentleman in a very difficult position with both parties. He did not agree with Lord Ellenborough that the outbreak was entirely unexpected. Last year demonstrations occurred in the churches of Warsaw. In examining the causes which had led to the insurrection, it was necessary to remember that Polish society was divided into three classes—the landed aristocracy, the middle class, and the peasants, all of whom differed in their wishes and aims. The aristocracy had petitioned for a constitutional Government, but their address had been deemed unconstitutional, and so grave an offence that Count Zamoyski, who presented it, was banished. The middle classes, despairing from the past of any improvement in the administration of the country, formed secret societies, some of whose members held extreme views. Instead of endeavouring to conciliate these classes by introducing a better Government, the Emperor of Russia determined to adopt a different policy. The conscription was carried out in a manner calculated to excite an unhappy people to despair. In all cases a conscription was a severe measure, but most countries in which it was in vogue had tried to mitigate its harshness; and even in Russia a law was passed in 1859 for that purpose. But in the present case no regard had been paid to that law; men had been seized for their political opinions; and while the peasants had been exempted, the townspeople had been solely chosen for the army. He had told the Russian Minister it was a most unjust step for the Russian Government to take. In regard to the arrangement made with Prussia, he understood from the Prussian Ambassador that Russian soldiers would be allowed to pursue Polish insurgents within the Prussian frontier; and he had stated in reply, that he considered that Prussia had thereby made herself responsible after the fact for the measures of conscription that had been adopted. Austria had announced her intention of remaining true to her engagements to Russia, but the Galician Poles would still enjoy their privileges without the presence of more troops in their country. He regretted he could not produce the papers moved for.

Lord MALMESBURY expressed his sorrow at the attitude taken by the Prussian Government.

Only a few days afterwards the Polish question was brought forward in a formal shape in the House of Commons by Mr. Pope Hennessey, whose motion gave rise to an animated debate, and elicited some marked expressions of opinion. Upon the conduct and policy of Russia in provoking the insurrection, and on her mode of crushing

it, there was a general unanimity of sentiment; upon the action to be taken by this country, and the mode of interference which the circumstances would justify, there was some difference of view.

Mr. HENNESSEY's motion was for an address to the Crown, representing that certain treaty obligations incurred by England and other Powers with Russia, in respect to Poland, had not been fulfilled, but had been broken, by Russia (setting forth the nature of these joint obligations); that for years past the Poles had borne the violation of their national rights with exemplary patience; that their endurance and patriotic self-restraint had at length given way under an accumulation of unparalleled outrages, and the kingdom of Poland was now the scene of a desolating conflict between the troops of Russia and the people driven to desperation; and humbly submitting to Her Majesty that these facts demand the interposition of England in vindication of her own public faith and solemn engagements. In a very able speech he enlarged upon the provocations given to the Polish nation, and the severities exercised by the Russian authorities, insisting that the conflict now going on in Poland was owing entirely to the conduct of the Russian Government. The question, he said, had now become an English one, because England was a party to, and bound by, a treaty which had been violated by Russia, a fact which had been distinctly asserted by the First Minister of the Crown, in his place in that House, in the year 1861. The question, he observed, was a practical one, and peculiarly practical now, when there was an entire concurrence of opinion between England and France in favour of the Polish cause, and the conduct of the Austrian Government had received well-merited commendation. Even among the people of Russia there was a strong feeling in favour of Poland. He did not ask for hostile intervention; with the sympathy of the European Powers, parties to the Treaty of Vienna, Poland herself would be able to maintain her position.

Mr. NEWDEGATE said he would be no party to urging upon Lord Palmerston any intervention in the affairs of Poland. If it was possible, by friendly offices, to mitigate the evils which Poland had suffered for so many years, Lord Palmerston would not fail to employ them. But, lamenting, as he did, the condition of Poland, the House ought to ask itself whether the Polish people were qualified for freedom. He doubted whether the condition of the country was such as to prove that they were so qualified.

Mr. M. MILNES observed that, although Mr. Hennessey meant nothing more than diplomatic interposition, the House was bound to look at possible consequences. The question was whether it was their duty to support the proposal for a peaceable interposition. He did not think we were bound to interpose by treaty; but he believed that the Emperor of Russia would listen to an expression

of the strong opinion, he might say the indignation, of England at the occurrences in Poland.

Mr. WALTER said, however strong the sentiments of the House and the country might be in the case of Poland, there should be no misunderstanding upon so important a question as the present. The motion proposed to submit to Her Majesty that the facts "demand the interposition of England in vindication of her own public faith and solemn engagements." If this language meant any thing, it meant war, and ought to mean war; the Government would be bound to give effect to the declaration, and not by merely sending a Queen's messenger.

Mr. DENMAN desired to steer between the two courses suggested by Mr. Hennessey and Mr. Milnes. He would strengthen the hands of the Government, and not tie them by saying that under no possible circumstances should England go to war with Russia. He was disposed to move an amendment substituting a resolution for an address, omitting the words after "demand," and inserting "the serious and immediate consideration of Her Majesty's Government."

Mr. FITZGERALD observed that this question had assumed a different complexion from that of former years; that the present position of the Polish people rendered it an urgent one, and that the solution of it rested with Her Majesty's Government. He dissented from Mr. Denman's proposed amendment, contending that the public law of Europe had been violated by Russia, and it was a feeble conclusion to leave such a matter to "the serious and immediate consideration of the Government." He supported the address.

Mr. STANSFIELD, attributing the insurrection of the Poles to the conscription, described this measure as a wholesale deportation of the very *élite* of the people of Poland; a barefaced device for sweeping into one huge net whatever was patriotic, free-spirited, and progressive in the country, and consigning the youth of Poland to a doom which every Polish mother would say was worse than death. He explained the secret motives and object of the Russian Government in the conscription, which, he observed, was a political act, not wanton and unconsidered, but in pursuance of a predetermined and deliberate policy. After stigmatizing the conduct of Prussia, he urged that some action on the part of the Government and the House was imperative; and he believed that a protest, indorsed by the unanimous opinion of the country, would not be made in vain.

Mr. H. SEYMOUR considered that this country was, in a certain degree, responsible for the condition of Poland. But the Treaty of Vienna was framed under difficult circumstances; the Czar then obtained a larger portion of Poland by false pretences. A protest by this country, backed by France and Austria, must have more effect than in 1815, in influencing the councils of both Russia and Prussia.



Mr. MAGUIRE argued that England was directly a party to a treaty of which there had been an acknowledged infraction, whereby the rights of the Poles had been violated, and that interference on the part of this country was justified by precedent, and called for by the voice of humanity.

Mr. WALPOLE said he had never listened to a debate in which there was more unanimity. Then came the real question, how the matter was to be practically dealt with, and what was the practical conclusion? Before a motion was adopted that might lead, step by step, into war, the House should carefully consider its effect. The most practical conclusion, in his opinion, was not to destroy the unanimity of the House, which would go out to the world, by any thing that would seem to approach a conflict of opinion. Was the Government, then, prepared to echo the sentiments expressed in that House; and, if so, was the House prepared to leave to them the responsibility of enforcing them?

Lord PALMERSTON said he did not stand there to unsay any thing he had formerly said. In the matter of Poland, he repeated that the Treaty of Vienna had been systematically violated. It was impossible not to feel the deepest sympathy for the Polish nation. He believed that the present Emperor of Russia did mean to improve the condition of his Polish subjects; but no doubt the late act of the conscription was entirely discordant with such a disposition, and accounted for the outbreak. It was a most barbarous act, a cruel political piece of tyranny under the pretence of a military measure. He could not but conceive that to a sovereign gifted with the feelings of the Emperor of Russia military success would be a great and signal calamity. If the insurrection was put down, he would have a country in which the plains would be bathed in blood, and the towns be smoking ruins. A sovereign with his enlightened views would be disposed to grant an amnesty, and give the Poles the institutions promised to them. He hoped Mr. Hennessey would be satisfied with the unanimous expression of opinion in the House, and would not press his motion, the objections to which were very great. It assumed that by the Treaty of Vienna we were under an obligation to interfere. We had a right to interfere, but were not under an obligation to do so. In the interests of a cause which the House and the country had at heart, the course best adapted to accomplish the purpose in view was to leave it, as proposed by Mr. Walpole, to the responsibility of the Government to advise the Crown in the matter.

Mr. DISRAELI, after explaining and justifying the policy of Lord Castlereagh in relation to Poland, observed that it was not pretended that the obligations of the Treaty of Vienna forced England to act; but there were moral obligations, of which we might avail ourselves. He agreed that the great object of the present motion was to elicit an expression of the opinion of the House.

The motion for an address was withdrawn.

The deplorable contest still continued, and a feature which attracted much attention was the ungracious part assumed by the Prussian Government in the contest, in affording succour and supplies to the Russian force, and in giving up to the enemy the unfortunate Poles who took refuge in the Prussian territory. The Earl of Carnarvon gave utterance to the sentiments of the English public on this course of proceedings by a speech which he delivered in the House of Lords on the 12th of June, in which he asked the Secretary of State for Foreign Affairs for further information respecting the nature and provisions of the recent Convention concluded between the Governments of Russia and Prussia beyond that already laid before Parliament. He prefaced his question by a severe censure on the conduct of the Prussian Government in regard to Poland, which was far more dangerous to the peace of Europe than the insurrection itself. In accordance with that Convention, Prussia had assisted the Russians when defeated and furnished them with food and arms, but had delivered up the Poles who crossed her frontier to the Russians. It was difficult to understand how this Convention originated, Russia implying that it originated with Prussia, while Prussia asserted the contrary. The reasons why this Convention had not been communicated were also exceedingly contradictory, Prussia attributing the cause to Russia, and *vice versâ*. No less difference was observable between the courses of Austria, Great Britain, and France in regard to this document; Austria refusing to have any thing to do with it, France considering it as a grave question of European policy, while England stated to Prussia that it was her duty to observe neutrality; but in acceding to this Convention she had departed from neutrality. He proceeded to lay before the House a summary of the negotiations which had been carried on at Berlin, and remarked in severe terms on the conduct of M. Von Bismark, who read to Sir Andrew Buchanan a paper, purporting to be a copy of the Convention, but which he (M. Von Bismark) subsequently denied to be such. Again, M. Von Bismark read a copy as it had been signed at St. Petersburg; but shortly afterwards doubts were thrown on its authenticity by a despatch of Lord Napier, which mentioned a secret article that M. Von Bismark had not even alluded to. He wished to know whether there was a secret article, what was the necessity of secrecy, and why so much official mystification had been employed in regard to this Convention. He proceeded to consider whether the Convention was signed by Prussia from fear of insurrection in Prussian Poland, from sympathy with Russia, or from domestic pressure, and concluded that it arose from fear of any thing like constitutional life arising on her frontier. The policy of Prussia was dangerous, as tending to isolate her in Europe, and fraught with mischief to Europe at large.

Earl RUSSELL could not at present add any information to that already before Parliament. As to the originating parties of the

Convention, there was a kind of contradiction, a sort of mystery about it. In regard to the most objectionable part of the Convention, that Russian troops might pursue Polish insurgents and attack them on Prussian territory, M. Von Bismark had declared it a dead letter. It was a bad policy on the part of Prussia to throw herself so strongly on the Russian side, and one which at one time seemed likely to involve disagreeable negotiations with France and England.

Lord BROUGHAM expressed his disapproval of the policy of the Prussian Government, both in regard to Poland and her own subjects.

In the mean time Her Majesty's Government were not inactive in taking the course which the opinion of the country and the voice of Parliament had prescribed to them. On the 17th of June Earl Russell, acting in concert with the Governments of France and Austria, had sent to St. Petersburg the recommendations of the British Government respecting the measures proper to be adopted by Russia in her future policy towards Poland. The diplomatic correspondence which thereupon took place will be found in another part of this volume. The propositions of Great Britain, as briefly stated to the House of Commons by Lord Palmerston, were these:—First, that there should be a general and complete amnesty; second, a national representation for Poland, on the principle of the engagement made by Alexander I. in 1815; third, that Poles alone should be appointed to public offices, and a Polish administration; fourth, full liberty of conscience; fifth, that the Polish language should be used in all public transactions; sixth, that there should be a regular system of recruiting. In addition to these propositions, Her Majesty's Government had recommended that there should be a cessation of hostilities.

Pending the receipt of the answers from Russia to these propositions, it was considered prudent by the House of Commons to refrain from further discussion on the question; and accordingly, on the 22nd of June, it was voted to postpone a motion, of which Mr. Pope Hennessey had given notice, for an address to the Crown, expressing the regret of the House at learning that the Emperor had set up a claim to the sovereignty of Poland, which was in violation of the Treaty of Vienna, and praying Her Majesty to adopt measures in concert with other Powers which might preserve the legitimate rights of Poland, and tend to produce a durable peace. The Government, indeed, through Lord Palmerston, disclaimed any desire to restrain the discussion, and did not allege that it would be injurious to the public interests. The House, however, by a majority of 55, resolved as above, that the matter should not be then debated.

As, however, the Session drew near its end, while the calamitous struggle still went on without any sign of mitigation, and the press teemed with fresh accounts of atrocious severities, the desire

for an expression of the opinion of the country on these transactions could no longer be withheld, and debates of a very interesting nature took place a short time before the prorogation in both Houses.

In the Upper House the subject was opened by Earl GREY, who, in moving that an humble address be presented to Her Majesty for papers with regard to Poland, said he could not look at the present state of affairs in that country without apprehending the most serious consequences. He admitted that a war with Russia for Polish rights was neither desired by the Government nor by the country; but he could not read the papers which had been published without an alarm that Her Majesty's Government, without intending it, might find themselves involved in a war. Under these circumstances Her Majesty's Government ought to act on a well-considered line of policy, which might be easily understood by the country and by Europe. What the policy was the Government intended to pursue he could not discover in the papers before them. What grounds, for example, were there for concluding that the last two communications made to the Russian Government would meet with a satisfactory result? He reviewed most searchingly the six propositions made to Russia, and regarded them as impracticable, both on account of the feelings of the Russian nation and of the Polish insurgents. Interference, if not backed by force, was not likely to bring about good, and the party interfering was regarded very much in the light of one interfering between husband and wife. It was most essential, therefore, that Her Majesty's Government should explain their views, and the results which they expected from their policy. At the present moment our diplomatic intervention only fostered false hopes, and perpetuated the horrors of that war we were desirous to suppress. Could it be hoped, from our experience of Russia, that any practical advantage would arise from these diplomatic negotiations? He warned the Government not to arouse the feelings of this country until they passed beyond control. Sympathizing with the Poles, he saw no reasons why we should set up as their champions. The present one was not a case for armed interference, and he hoped that Government, having recognized this, would not have recourse to interference of any other kind.

Earl RUSSELL thanked Lord Grey for the tone and temper in which he had brought forward his motion, commented on the difference of feeling which existed in regard to armed intervention in Poland, and expressed his opinion that it would be, in the present indeterminate nature of what really was Poland, unjust to Russia, and calamitous to Europe. The gist of Lord Grey's speech was "do nothing;" but several examples from recent history showed that war and human passions had not only not been prevented, but often provoked by doing nothing. The policy of doing nothing was one of selfishness and separation. Her Majesty's Government had entered into negotiations with France,



and consulted most earnestly with Austria, whose treatment of her Polish subjects he highly praised, and asked why Russia could not follow so good an example. He defended the proposed armistice and amnesty, and denied that such propositions were as impracticable as represented. He reviewed the various terms proposed to Russia, and observed that, as we had based our proposals on the Treaty of Vienna, we were bound to presume that Russia was to rule in Poland, and to propose such terms as Russia could accept. The six propositions, if agreed to by Russia, would be a charter for the Poles, and a guarantee to Europe of proper government in Poland. He denied that our diplomatic interference would be prejudicial to Poland, being of opinion that if any thing was to be obtained for Poland, it could only be obtained by the interference of the great Powers, insisting that the faith due to treaties should be observed. The noble lord added, that as yet there were no papers to be produced, but as soon as an answer should be received from Russia, he would lay the papers before Parliament.

LORD BROUGHAM considered that armed interference in Poland was not to be thought of.

The Earl of DERBY, having expressed his sympathy with the sufferings and gallantry of the Poles, lamented the discussions on the subject which often occurred in Parliament, as tending to cherish hopes in the Poles which could not be gratified. Entering on the general question, he expressed his surprise that Lord Russell had submitted the subject to discussion at the present time, but entirely approved his declaration that in no case would this country be dragged into a war on behalf of Poland. He wished to know whether the Government had considered, in case of the rejection of the proposals by Russia, what should be the next step they should take in conjunction with their allies. He regretted exceedingly that Lord Russell founded his proposals on the Treaty of Vienna, because if Russia refused to accede to our terms, we must either have to proceed to force, or to accept an insult. He much doubted, however, whether Lord Russell's clients would be pleased with his proposals, as they would be content with nothing short of independence. He anticipated that Russia would acquiesce in our proposals, that a conference would meet, and that during its prolonged session the revolution would be gradually suppressed. He pointed out the hazardous policy which we were pursuing, and looked with some apprehension upon the course the Government had taken to accomplish their object. The debate had elicited a declaration that we were not to be dragged into a war, a declaration that would be most beneficial in crushing false hopes which might have been entertained.

EARL GRANVILLE was surprised at Lord Derby in finding fault with Her Majesty's Government for having done something, rather than nothing, after the numerous appeals which had been made to the Government to make some attempt to stop the cruelties

perpetrated in Poland. He defended the policy which had been pursued by the Government.

Lord HARROWBY said the Treaty of Vienna was the only sanction given by Europe to the partition of Poland, and the title gained thereby had been torn to pieces by the violation of that treaty by Russia.

Earl GREY explained that he did not mean that this country should always adopt a non-interference policy, but that if we were not prepared to back our representations by force, we ought not to interfere, as no useful result could ensue. He ultimately withdrew his motion.

In the House of Commons, a few days afterwards, Mr. HORSMAN moved the following Resolution:—

“That the arrangements made with regard to Poland by the Treaty of Vienna have failed to secure the good government of Poland or the peace of Europe, and any further attempt to replace Poland under the conditions of that treaty must cause calamities to Poland, and embarrassment and danger to Europe.” He began by expressing the feelings of perplexity and alarm with which he had read the papers laid before the House. Poland, he said, had been diplomatized to death. If the despatches of the Foreign Secretary had been written with a clear object in view, that of arriving at a settlement of the Polish question, that would be the only justification, to his mind, of this diplomacy; but if all the virtue and energy of the Cabinet was to be exhausted in discussion, and the Government were to say, “We have performed our duty, and can go no further,” Parliament would be warranted in saying, “You have gone too far, and lighted a blaze in Europe which is beyond your power to extinguish.” He then took up the Polish question at the period of the Treaty of Vienna, reading extracts from the despatches of Lord Castlereagh during the negotiations, and dwelling upon the warnings they contained, and the apprehensions which it appeared were entertained by the Plenipotentiaries regarding the issue of the question, the Emperor of Russia having gained a point in the negotiations. He then passed to the insurrection of 1831, and contended that the attitude taken by the Emperor rendered the path of diplomacy from that time clear, affording a guide to the policy of this country. France and England sustained a defeat on that occasion; the Emperor of Russia repudiated his obligations to Europe, and made Poland a Russian province. Lord Palmerston, as the Minister of England, in fulfilment of what was the duty of this country, called upon the Emperor of Russia to redeem his pledge, but he was compelled to succumb, because England was not prepared for war, and he abstained from diplomatic action. The events of the present year were merely a repetition of those of 1831; an insurrection was caused by the same irregularities and cruelties on the part of Russia. The Government, however, had not pursued the same prudent course as in 1831. Was the course they had taken, he

asked, English policy, or was it Ministerial levity? He examined the printed papers in order to discover the aim of the Cabinet and the key of its policy upon this question, and he inferred that the policy of the Government was changed from what it was in 1831. The condition of Russia, of Poland, and of the continent of Europe was different, and Russia had now quailed before the three combined Powers. What, however, was it proposed to do? Nothing more nor less than a complete settlement of the Polish difficulty, by reviving the exploded hypocrisy of 1815. As a practical settlement of the question the six points would be laughed at by the Emperor of the French. But England made two additions—an armistice and a conference of the Powers. To every thing proposed by England Russia had given an unqualified rejection. This reduced the question to the narrowest compass. The Poles were fighting for independence; the Cabinet were the instigators and advisers of the Poles; did they mean to give them their nationality? Did they mean to apply to the Poles the principles they had applied to Italy? How could we, without violating the laws of justice and morality, without committing a fresh crime, deliver up the Poles once more into the hands of their oppressor? Poland for the Poles. Let us repair the wrongs of Poland by welcoming her into the brotherhood of nations. Then, could the restoration of Poland be accomplished without recourse to war? It depended upon whether Austria would give up Galicia. We had, however, raised the flame, and must meet the exigency wisely. The Polish question was the special property of Lord Palmerston. It was to him he looked to correct the feeble utterances, and to repudiate the ignoble sentiments of others in high places.

The CHANCELLOR of the EXCHEQUER said, on behalf of the Government, that, with one exception, he had no reason to complain of the spirit in which Mr. Horsman had discussed this question. There were parts of his speech, however, which did not cohere with others. The present position of the Emperor of Russia, he observed, had some claim upon our consideration, recollecting the nature of the inheritance to which he had succeeded, the great things he had achieved, and the success which had attended his wise efforts. He then proceeded to discuss the policy which it behoved the Government to pursue upon this question, and the argument of Mr. Horsman, which amounted to this,—that their choice was between war and doing nothing. After disposing of the former alternative, he demurred to the proposition that the Government should have remained idle, which, he said, would have been highly inexpedient, considering the state of feeling, not only in this country, but on the continent, and especially in France. He remarked upon the inference drawn by Mr. Horsman from a particular despatch of Lord Russell, as indicating a change in the policy of the Government, and as containing a menace of war; and he contended that such a conclusion could

not be maintained. Mr. Horsman had argued that the Poles had been encouraged by hopes of aid from without, and that the British Government had kindled the flame; but he had adduced no proof of this allegation. As to the position in which matters now stood, Mr. Horsman had not sought for any declaration from the Government, and the present was not the moment when a development of our future policy would be expedient. As to the motion which called for a solemn condemnation of the Treaty of Vienna—a motion which fell short of the opinions and language of the mover—he urged various reasons why it was not desirable that it should be adopted by the House.

Mr. HENNESSEY, adverting to the interest taken in this question by the people of England, showed, from the petitions presented to the House, what they wanted. They declared that Russia had forfeited, by her gross and barbarous outrages upon the people of Poland, all right to the kingdom; that her conduct tended to disturb the peace of Europe, and that Poland was entitled to independence. The House was justified, therefore, in asking what were the intentions of the Government. He defended Austria, whose position, he observed, was a difficult one. There existed in Austria a strong feeling in favour of the Poles, even in the army. He believed that the Emperor of Austria himself was in favour of Poland; in fact, the whole of Europe participated in that feeling, and the Emperor of the French would gain an immense moral advantage by establishing the independence of Poland. He denied, and disproved by evidence, the assertion of Prince Gortschakoff that the Polish movement originated in foreign influence, and he showed the provocations which had driven the landholders and the moderate party to join the insurrection, which was aided and fostered, according to Russian witnesses, by the whole population. Poland had a national Government, which preserved order, made laws, and levied taxes. He disproved, in like manner, the denial of Prince Gortschakoff of the barbarities charged against the Russian troops. On the one hand, therefore, was found a national Government in Poland supported by the whole population, on the other was found the Russian Government openly ignoring legality.

Mr. KINGLAKE observed that one of the difficulties in the way of the Government was that the Polish authorities had no name. Mr. Horsman had, in his comments upon recent transactions, laid it down that there must be no such thing as negotiation; that we must make up our minds at once, and act upon the determination. He did not accede to this view, and he thought that in the present case it was impossible that the Government could have acted otherwise than they had done. In other respects he dissented from the views and doctrines put forth by Mr. Horsman; and with regard to his suggestion that Austria should relinquish Galicia, he showed that the Galicians desired to remain under the rule of Austria. He thought the



time was most inapt for the adoption of the proposed Resolution.

Lord PALMERSTON said it appeared to him that the speech of Mr. Horsman was not consistent with itself or with his motion. He had told the House that there was no alternative between our remaining passive or insisting upon the establishment of Poland in its ancient state. If all the Powers of Europe were prepared to go to war to force Russia to relinquish her possession, this might be done; but it was clear that it could not be accomplished by persuasion. The only ground that could justify our remonstrance with Russia was the Treaty of Vienna; if that was abandoned, we should deliver the Poles, bound hand and foot, to Russia. He hoped, therefore, the House would not agree to the motion, nor press the Government to declare the course they should pursue. It would be their duty to communicate with the Governments of Austria and France.

Mr. Horsman, after a brief reply, withdrew his motion.

The circumstances which led before the close of the preceding year to the cessation of diplomatic intercourse between this country and the Government of the Emperor of Brazil, afforded occasion for animadversion on more than one occasion to opponents of the Ministry. The misunderstanding arose, it will be recollected, out of the wreck of the "Prince of Wales," which took place on the coast of Rio Grande, in June, 1861. Reports arose that the wreck had been plundered and the crew murdered. A demand was in consequence made upon the Brazilian Government for compensation, on the ground that they had not used due diligence in procuring justice to be done. After a good deal of time spent in contentious negotiation, Mr. Christie, our Minister to Brazil, was instructed to propose arbitration, but this offer was declined, it being accompanied, as was alleged on the part of the Brazilian Government, by conditions which they could not, consistently with their honour, accept. Reprisals were then authorized to be made, and amicable relations between the two countries were suspended.

These proceedings, arising out of transactions involving many disputed matters of fact, and a great deal of contradictory evidence, afforded ground for much difference of opinion, and the case was taken up with considerable zeal by members of the Opposition in both Houses, who reflected strongly on the course taken in the matter by the Foreign Office and its agents. The Earl of Derby, in particular, characterized the conduct of our Government very forcibly, saying that, "certainly more unjustifiable proceedings were never taken by any representative of the Crown against a friendly Government than appeared to have been taken by Mr. Christie, and he trusted to hear that they had been disapproved of by Her Majesty's Ministers<sup>1</sup>." In answer to this censure, Earl

<sup>1</sup> Speech in the House of Lords, Feb. 16.

Russell justified the course adopted, alleging that the Brazilian authorities had prevented an inquiry being made into the matter of our complaints, and were strongly suspected of connivance at the crimes alleged. If the Government neglected its duties in the case of a shipwrecked vessel, and allowed her to be plundered, he considered that that Government was liable to a claim for compensation.

The case was shortly afterwards brought before the House of Commons in a formal manner by Mr. Bramley-Moore, who called attention to the papers laid before Parliament with reference to the dispute with Brazil, and moved the following Resolution:—

“That this House has learnt with regret the interruption of amicable relations between this country and Brazil, and express the desire that Her Majesty’s Government may take such measures to restore a cordial understanding between the two countries as may be consistent with the character and honour of this country, and the dignity and honour of a friendly and independent Power.”

After remarking upon the long-continued harmony that had subsisted between the two countries, and upon the large amount of trade which had been jeopardized by recent occurrences, he proceeded to give the details of the transactions arising out of the wreck of the “Prince of Wales.” He defended the people on the coast of Brazil, in the province of Rio Grande, where the wreck took place, from the stigma attempted to be cast upon them, of being wreckers and murderers; insisting that, on the contrary, they were humane and hospitable towards shipwrecked persons, their conduct contrasting favourably with that of the inhabitants on certain parts of the coasts of England and of her colonies. He complained of the manner in which the offer of arbitration had been made, and he attributed the consequences of this affair—which, he said, it would take years to obliterate from the minds of the Brazilians—to the conduct of Mr. Consul Vereker. The object of his motion was to open a way to a course of action that would restore cordiality of feeling between the two countries.

The arguments of Mr. Bramley-Moore were supported by Lord Robert Cecil, Mr. Seymour Fitzgerald, Mr. C. Buxton, and Mr. Cobden. They contended that the facts disproved the charge of wilful delay or denial of justice on the part of the Brazilian authorities; that, on the contrary, it appeared that they had done their best with their limited means to enforce the laws against the offenders, having dismissed two official persons, and prosecuted to conviction eleven other offenders. They threw much doubt upon the evidence relied upon by our Government, especially on the statements of Consul Vereker, which were characterized, as was alleged, by exaggeration and excitement. Severe comments were made on the conduct of our Ministers towards a Power too weak to offer resistance to our demands, and the opinions of the leading

British merchants in Brazil were appealed to as disapproving of the course adopted by this country, and testifying to the desire of Brazil,—the only monarchical government in South America, and bound to us by strong ties of commercial interest,—to maintain friendly relations with us.

The conduct of our Ministers was vindicated against these reflections by Mr. Collier, Mr. Layard (the Under-Secretary for Foreign Affairs), and the Solicitor-General. They entered into a close and critical examination of the evidence furnished by the Brazilian Government itself, from which they undertook to prove that British subjects had sustained wrong, for which they were entitled to redress. The wreck of the “Prince of Wales” on the coast of Albardao should have been promptly brought to the notice of the British Consul by the local authorities, but this was not done. The authorities in the province should have gone down to the coast to make inquiries, and this was not done. In fact, there was not one of the local authorities that had not failed in duty. When Lord Russell received a report of the affair from Consul Vereker—who, they remarked, had been dealt with most unfairly—his action was simply within the forms of diplomacy; he demanded, as he had a right to do, compensation for the plunder of the vessel. Had the course adopted not been taken, the Government would have been reproached with apathy. What could they have done besides, unless they asked the House to pay the compensation? No Government could have acted otherwise than they had done, and if the Brazilian Government had acted as that of England had done in a similar case of wreck, there would have been an end of the matter. It was the duty of the Government to protect the property and the lives of Her Majesty’s subjects, and if the Resolution were carried, it would have a fatal influence upon British interests and lives throughout the world.

The motion of Mr. Bramley-Moore was put and negatived.

The subject of our relations with Brazil was again, at the latter part of the Session, brought before the House of Commons by Mr. Seymour Fitzgerald. The hon. gentleman appealed to the House of Commons on the ground, that the honour and reputation of the country were involved in the course taken by Her Majesty’s Government, as well as the interests of both countries in their political and commercial aspects. Premising that his first complaint against the Government was that they did not initiate a proposal for an arbitration when the differences first occurred, he proceeded to detail the history of these differences, commenting upon the course of action of the British Minister. He next complained of the making of reprisals, which was tantamount, he said, to an act of war, when a slight exhibition of force would have been sufficient. His third complaint had reference to the claim for compensation put forth by the Government—namely, 2360*l.* for the cargo of the “Prince of Wales,” alleged to have been plundered, whereas the whole of the

goods that could have reached the shore were worth only 800*l*. He referred to other items in the demand for compensation, which he characterized as absurd and ridiculous. He then noticed the position of Her Majesty's Government in relation to that of Brazil since the decision of King Leopold against us in the case of the alleged insult to the British Navy in the matter of the officers of the "Forte," and asked what they proposed to do in such embarrassing circumstances. He hoped the course they took would be, putting aside that spirit of hostility which had on several occasions inspired the Government in its conduct towards Brazil, to adopt a course more conciliatory and more becoming and honourable to the character of this country, and take the first step for the restoration of friendly relations with Brazil. He moved for a copy of the manifest of the cargo of the "Prince of Wales."

Mr. LAYARD said he did not clearly understand the object of Mr. Fitzgerald in bringing forward again a subject that had been already so much discussed in that House and in another place. According to Mr. Fitzgerald, this country had been dishonoured and disgraced by the course taken by Her Majesty's Government; according to him, if a British ship was wrecked on the coast of a country, its cargo plundered, its crew murdered, the authorities on the spot conniving at these acts, and the Government of the country refusing redress, Her Majesty's Government were to remain idle and indifferent. If the object of Mr. Fitzgerald was to embarrass Her Majesty's Government in dealing with the South American States, he had succeeded, for he (Mr. Layard) had already seen the consequences of these accusations against the Government in the altered feeling of the South American States. Mr. Layard went over the leading incidents of the dispute between the two countries, contending that Mr. Fitzgerald had not correctly represented the conduct of Mr. Christie in relation to the reprisals, an act which was executed, he said, in the least offensive manner possible. Mr. Fitzgerald had professed a desire for the re-establishment of amicable relations with Brazil. The mediation offered by the King of Portugal for this object had been accepted by Her Majesty's Government, and if any thing could prevent the amicable adjustment of the differences, which was most earnestly to be desired, it would be the course pursued by Mr. Fitzgerald.

Sir Hugh Cairns expressed his opinion that, though in the first instance the Brazilian Government in the matter of the wreck had been in the wrong, the tone of our proceedings, and the absurd demand for compensation, had been discreditable to our Government. Mr. Henley also thought that we had a good cause for complaint at the beginning, but that the matter had been badly treated.

Mr. Fitzgerald's motion having served the purpose of founding a debate, was withdrawn.

The outrages committed on British subjects in Japan, and the violations of the treaties of commerce which had been concluded



with that anomalous and ill-regulated Government, having made it necessary for the British representatives there to adopt a very firm attitude towards that power, and having in fact brought us to the brink of hostilities, the attention of the House of Lords was called to the subject by the Earl of Carnarvon, who moved for copies of instructions to Her Majesty's diplomatic servants in Japan, or to the officers in command of Her Majesty's land or naval forces, to make demands upon the Government of Japan, with the alternative of immediate hostilities on the rejection of such demands. The noble lord commented on the ignorance of the House of the reasons which had led the Government to instruct Admiral Kuper to address an ultimatum to the Japanese Government. Having sketched the political system of Japan, which made the Tycoon practically powerless against his nobles, however willing he might be to carry out the treaties, and to make reparations for outrages, he warned the Government against the dangers and cost of a war with Japan, either separately or with other Powers, and contended that strict retribution, if possible, should be exacted from the guilty parties, but the country ought not to be committed to a great war. He wished to know the reasons by which the policy of Her Majesty's Government had been guided.

Earl RUSSELL said he considered it his duty to see, that the treaties of commerce concluded between Japan and this country were carried into effect, and that the lives of British subjects were protected. He detailed the various outrages which had been committed by the Japanese, particularly instancing the attacks on the British Legation, and on Mr. Richardson. As these outrages proceeded from a settled plan to defeat the treaty, he had demanded explanations. He denied that war had been declared at once, and explained the steps which had been taken to obtain reparation. As it was just possible that redress might be refused, certain instructions had been given to our forces, which, however, as at present no answer to them had been received, he declined to produce to the House. Disclaiming the projects of prolonged war and annexation attributed to the Government, he stated that our only object was to obtain reparation for the murders which had been committed, and to uphold the trade of our merchants. As soon as the answers of the Japanese Government arrived, he would produce the papers.

Earl GREY considered it highly objectionable that the old custom of consulting Parliament before the declaration of war was abandoned by the Government. Although he entirely agreed in the propriety of exacting reparation for outrages on British subjects, it ought in the present case to be remembered that the treaties with Japan had been extorted by fear and intimidation. The principal causes of our present unsatisfactory relations with Japan were, in his opinion, the exorbitant demands of some of our traders on the Japanese Government for gold in exchange for silver, and the presuming and arrogant conduct of certain English

residents in Japan. The papers laid on the table, however, concealed many of these facts, and while blackening the people of Japan, suppressed the bad actions of our own countrymen. It was unfair to hold the Japanese Government responsible for these outrages. They had done their best to find out the offenders, but, owing to the exasperated state of public feeling against foreigners, failed, just as this country had done in bringing the perpetrators of the outrage on General Haynau to justice. He considered war with Japan would cost us much blood and money, would introduce into Japan the same anarchy as was now seen in China, and was unjust and impolitic in itself.

The vigilant eye of Parliament was also directed to another great country in the East, where the restless activity of British commerce having gained a footing, had mixed up our countrymen with the internal dissensions by which it was divided, and had even engaged the interference of our naval forces in actual warfare. In the desolating civil war which was waged between the Imperial Government of China and its rebellious subjects the Taepings, British officers were employed, with the sanction of their own Government, in the service of the Emperor of China; and some of the civil departments of the Imperial administration were placed under English official superintendence. The policy of these measures on our part was seriously questioned by many persons at home, who considered it an infringement of the wise rule of non-interference in the domestic concerns of other states, and feared the responsibilities in which it would probably involve us. This view of the subject was taken by some distinguished members of the House of Commons, and the policy of our Government was fully canvassed in a debate which took place upon a motion introduced by Lord Naas, who was supported by Mr. Seymour Fitzgerald, Mr. Liddell, and Mr. Baillie. In his speech on the occasion, Lord Naas dwelt upon the tendency of the people of China to rebel against the constituted authorities, and the long-protracted political disorders which accompanied the change of dynasties. He adverted to the Taeping movement and its causes, the chief of which he considered had been our interference with the affairs of the country, thereby rendering the Government contemptible in the eyes of the people, and our forcing the opium trade. He proceeded to discuss the policy we had pursued in China since the Taeping movement, and to show that whereas, at the beginning, our policy had been declared to be one of strict neutrality and non-interference, step by step that policy had been abandoned, and we had interfered in every way in Chinese affairs, co-operating with the Imperialists and attacking the rebels. To establish this position, he gave a narrative of military operations in the maritime provinces of China, and complained that certain of the Chinese institutions, such as the department of the Customs, as well as a military force, had been Europeanized, pointing out the evils and dangers of such a policy, and the objections to the

employment of British officers in the service of the Emperor of China. He urged the inevitable consequences of such an interference in the political, financial, and military affairs of one country by another, which had been strongly condemned by persons best acquainted with China, and the fruits of which might, he said, be discerned in what had happened in India. After dwelling upon the effect which the new policy adopted in China would have upon our relations with other powers, and especially the encouragement and justification it would offer to Russia and France to intermeddle in the affairs of the Chinese empire, he impressed upon the House that it was a policy which would seriously impair the British character in the opinion of the people of China, and prejudice the interests of British commerce.

The policy of the Government was defended against these imputations by Lord Palmerston and Mr. Layard. They denied that any case had been made out against the Ministry for the course they had pursued. The main question was, they said, had their policy been attended with good results? had it been founded in good faith, and was it likely to be of advantage to the country? A great part of the speech of Lord Naas appeared to imply approbation of the conduct of Her Majesty's Government. He had said they were teaching the Chinese the art of Government, how to regulate their finances, increase their revenue, and improve the administration of their territory. Her Majesty's Government admitted these charges, and claimed merit for what they were doing. The policy they had pursued was one which they had heard commended in that House,—that of treating China as a civilized nation. We had now a Minister at Peking, and carried on direct communications with the Central Government. Our policy had two objects,—one to restore public tranquillity in China, the other to secure the observance of treaties, by convincing the Chinese that it was as much for their interest as for ours. It was part of our policy to support the liberal party in China, at the head of which was Prince Kung. In carrying out our policy, Mr. Bruce, our Minister, had encountered great difficulties. One of the objections urged by Prince Kung to the adoption of measures he recommended was, the internal disorders in China. "Help us," he said, "to put down the rebellion, and to manage our finances, and we shall be able to do what you require." Adverting to the character of the Taepings, it was notorious that they were unable to found a government, and, according to the testimony of witnesses of all classes, they were loose bands of mere plunderers. Great allowance should be made for the difficult position in which our officials in China were placed in relation to the rebels, and the speakers defended the course taken by them, and the placing the Customs under the direction of Mr. Lay. They accounted for the outcry raised in China against the introduction of the foreign element into the management of the Customs, by the check it imposed upon frauds and smuggling, though it was a great boon to

the British trader. Finally, they contended that the authorizing of British officers to organize Chinese troops, and to enter the service of the Emperor, was no violation of neutrality, and that the policy pursued by Her Majesty's Government was just and humane, and one that, so far from causing war, would prevent it. The conclusion to be drawn from letters of recent date was, that the Taeping rebellion was gradually dying out, and, looking at what was taking place, sanguine hopes might be entertained of the progress and improvement of China.

No division was taken upon Lord Naas's motion.

The long-pending and embarrassing dispute respecting Schleswig-Holstein was another of those foreign questions which came under Parliamentary discussion this Session. The subject was mooted by Lord Ellenborough, who inquired of the Government whether they intended to produce any further correspondence relating to Schleswig, and especially whether they would communicate any representations that might have been made to Denmark by the Governments of Austria and Russia respecting the proclamation of the King of Denmark, of March, 1863. The question, he urged, in its present state, threatened seriously the peace of Europe, as soon as the condition of Poland would permit the German Powers to direct their attention to it. The negotiations of the last two years had only increased the irritation on both sides, and the despatch of Lord Russell, published last autumn, had reversed the policy of this country, and threatened the integrity of Denmark. The Danes had made every concession that Germany was entitled to ask for, and had acceded to the terms proposed by Lord Russell in 1861. Denmark, as a free and constitutional country, was eminently entitled to our sympathies, and in his opinion the recent proclamation in regard to Holstein had conceded all that the German Diet were entitled to demand. In respect to Schleswig, it had been a part of Denmark for 400 years, and Germany had not the slightest claim over it. Denmark was therefore justified in making the stand she had done in that proclamation. He proceeded to expose the ambitious and aggressive intentions of Germany, which were prompted by the design of making Germany a naval power. The diplomatic engagements imposed on Denmark, he contended, were impracticable, and should be altered by the great Powers, if Denmark was to again assume her rightful position in Europe. He concluded by making a spirited appeal on behalf of Denmark, and expressed a hope that our Government, in conjunction with that of France, would insist upon the designs of Germany being abandoned, and on the settlement of the question by means of a Congress.

Earl RUSSELL considered the doctrines laid down by Lord Ellenborough most extraordinary. Both Germany and Denmark, from ancient prejudices, had committed mistakes in making demands they were not entitled to make, and in not performing promises which had been solemnly given, as in the case of Den-



mark, which had not fulfilled the promises it had made in 1851. It was obvious, however, that a compromise ought to be effected, and he had made various proposals with that object. He still thought that his proposal of 1862 would settle the question, for although it did not satisfy the German Diet, Prussia and Austria were willing to receive it. That proposal would have preserved the independence of Denmark, and he thought Denmark had unwisely refused her assent, considering the non-fulfilment of the engagements of 1851 on her part. Germany insisted on fulfilment of these engagements, and the efforts of France and England were directed to obtain such a modification of them as would suit both parties. To adopt, however, the views of Lord Ellenborough, and override a solemn compact as to the duties of the Federal Diet, would be a most arbitrary act of international power. The treaty of 1851 ought to be adhered to by both parties, as it afforded the only ground for a fair settlement, and was a position which the English Government should maintain.

The Earl of DERBY said that the proposals of Lord Russell in 1861 might have been accepted without disadvantage by either party. In respect to Holstein, Denmark had admitted the rights of Germany; but he doubted the wisdom of allowing Austria and Prussia, in regard to Schleswig, to override all law and justice, especially as they had recently rejected every attempt at an arrangement. The German Powers ought to give as well as take, and in return for the concession towards Holstein they should respect Schleswig, unless their object was to weaken Denmark, and destroy its independence. Our true policy was to protect Denmark, as a free and constitutional kingdom, from aggression; and he much regretted that Lord Russell had, by reversal of that policy, greatly increased the difficulties of the situation.

Throughout the whole of this Session, as was naturally to be expected, the momentous events of the civil war in America, with the various complications which it induced, gave repeated occasion to comment, inquiry, or formal discussion, in both Houses of Parliament. The relations of our Government to that of the Northern States of the Union were at times of the most delicate and critical kind. Dubious questions of international law, affecting our commercial and maritime interests, were continually arising. The language held by some American politicians and a portion of their newspaper press towards this country, aroused from time to time feelings of profound irritation in the public mind. Our avowed policy of non-interference, though generally approved by the nation, was in some quarters endured with impatience or openly assailed. The attitude was one which, however commendable in the abstract, yet, as it procured us little gratitude or acknowledgment from the combatants, and entailed severe sacrifices on the part of our community, it required much effort and forbearance on the part of our Government to maintain. At times, indeed, it appeared questionable whether all our endeavours to keep aloof

from this fratricidal quarrel would not be ineffectual, and apprehensions were felt that this country would be at last compelled, however unwillingly, to enter into the contest. This result was for the time happily averted, and England adhered firmly throughout the second year of the war to her pacific counsels and her impartial neutrality, although it was no secret that, had she been willing to join with France in recognizing the Government of the Southern States, she would have found the Emperor Napoleon only too willing to concur in that measure. A reference to the discussions which took place in Parliament from time to time during the various phases of the struggle will best illustrate at the same time the tone of the public mind in England, and the grounds and conditions of the policy pursued towards the rival belligerent powers by Lord Palmerston's Government.

One of the first occasions subsequently to the debate on the Address on which our relations to the contending parties in America were formally discussed, was upon a motion brought forward in the House of Lords by Lord Campbell, having for its direct object to affirm the expediency of acknowledging, in concert with other neutral powers, the Southern Confederacy as an independent State. The debate was chiefly important for the distinct avowal of the grounds and motives of the non-interference policy which it elicited from the Secretary of State for Foreign Affairs. The principal argument urged by Lord Campbell for recognizing the South was, that it would take away the last hope of the North of subjugating the South, and would materially influence the Federal Government in coming to an arrangement with their opponents, if those opponents were once looked on as an independent Power by foreign nations. As precedents for this view he quoted the recognition of the United States by France, of the South American Republics by England, and of Portugal in 1641 by various European Powers; and urged that the neutral Powers by their silence implied a belief in the possible power of the North to subdue the Southern States, and put both parties thereby in a false position. The opinions of this country, and of France and Holland, had been sufficiently manifested by the recent loan raised for the Confederates, while military men had also expressed their conviction that the conquest of the South was impossible. He referred to a variety of considerations, both moral and material, which ought to influence Her Majesty's Government in recognizing the Southern Confederacy, and concluded by observing that, if recognition were withheld, the war would never be brought to an end.

Earl RUSSELL said, "My lords, I suppose there is no member of either House of Parliament who does not wish for a termination of the civil war in America. It disturbs commerce, it interferes with the peace of the world, and it afflicts America herself; and if any thing could be usefully, and, I must add, justly done to bring that war to a termination, I repeat there is no member of either House of Parliament, there is no person in the country, who

would not gladly see such a consummation. But, after having listened to my noble friend, I must confess I remain in the same persuasion as before at the present moment—and I speak only of the present moment—that there is nothing this country could do usefully and wisely which would tend to the termination of the hostilities on the other side of the Atlantic. My noble friend has somewhat mixed different topics, and he has alluded to three different modes of intervention in the affairs of other countries. One, which is the *minimum* of interference, that of advice, good offices, and mediation; another, the mode proposed by my noble friend, that of recognition; and the third, one which we have sometimes resorted to, and which other nations have more frequently had recourse to—that of forcible intervention. My noble friend says, and says truly, that, since I had the honour of addressing the House last summer, there has been some divergence between the views of the Government of this country and that of the Emperor of the French. The Government of the Emperor of the French conceived that it might tend to the termination of the war if three Powers—France, Great Britain, and Russia—were to propose a suspension of arms with a view to negotiation between the two belligerents. Her Majesty's Government, after carefully examining that proposition, came to the conclusion that its adoption by us would not be likely to lead to its acceptance by the Government of the United States of America; while, by causing irritation, it would not increase, but diminish, the chances of our seeing a termination of the contest. The French Government has proceeded in accordance with its views, and has actually proposed to the Government of the United States to negotiate with the Southern States. That proposition has not been adopted; and I think your lordships will judge from what has happened with reference to the proposals of France, and with reference to suggestions thrown out in other countries, that any interference on the part of this country would only have tended to aggravate the evils of the present lamentable state of affairs in America. It does not appear at the present moment that this contest would be likely to be terminated by an offer of our good offices. I say at the present moment, because it is impossible to say that, in the course of events, a time may not come when both the contending parties would be desirous of the good offices or wise counsels of friendly Powers. I do not see any probability of that at this moment, but I wish to guard myself against being supposed to speak positively of the future."

Earl Russell then proceeded to examine the precedents adduced as bearing upon the present case by Lord Campbell, and argued that none of them was really applicable to the juncture. The recognition of the United States by France was nothing else but a forcible intervention. In the case of the South American Republics, he showed that the soil of those Republics was free from hostile troops at the period of their recognition, which was not yet

the condition of the Confederate States, many points of whose territories were occupied by Federal troops. The spirit of the North was as determined as ever to carry on this war, and if we stepped forward at such a moment and recognized the Southern States, it would be a most unfriendly act to the United States. At present our duty was to wait and stand still, and not to proceed to so decided and unfriendly an act as recognizing the South. We had, it was true, interfered in former times in Holland, in Portugal, and Greece, but we had interfered there in behalf of the independence and freedom of a great portion of mankind, and he should be sorry to see this country interfere for any other purposes. In conclusion, Earl Russell expressed his earnest hope that no interests, deeply as they might affect us—interests which imply the well-being of a great portion of our people, but interests which might affect, also, the freedom and happiness of other parts of the globe—would induce us to set an example different from that of our ancestors, but that when we did interfere, it would be an interference in the cause of liberty and to promote the freedom of mankind as heretofore. “Depend upon it, my lords,” he added, “that if this war is to cease, it is far better it should cease by a conviction, both on the part of the North and the South, that they can never live again happily as one community and one republic, and that the termination of hostilities can never be brought about by the advice, the mediation, or the interference of any European Power.”

This declaration was received with much manifestation of approval from the House, and the discussion was at once closed. No further movement in favour of recognition of the Southern States was made in the House of Lords, but in the other House, near the close of the Session, an animated debate took place upon the question, and some impressive speeches were delivered by members embracing the respective sides in the controversy. The motion in favour of recognition originated with Mr. Roebuck, who, in that vigorous and unflinching style for which he is remarkable, expressed his opinions upon the character of the contest and the views of the parties engaged in it. He was well aware, he said, of the obloquy to which he should expose himself by this motion, but in spite of this he made an appeal to the House to do what he asked. In order to make his argument complete, he traced the history of the United States from the period of the colonization of their territory to the establishment of their independence, which, he observed, introduced two principles of international morality, called international law; first, that any body of people desiring to throw off their allegiance, if they are able, are entitled to do so; secondly, that, as we made peace with France, who had assisted our revolted colonies, and had acknowledged their independence before we had done so, we should be justified in acknowledging the independence of people in the position of the Southern States of America. He then noticed the



uneasy relations which had of late years subsisted between the North and the South; the effects of the Tariff upon the latter, and the vain attempts by the South to release itself from its toils. He advocated the acknowledgment of the independence of the Confederate States, he said, first, because they had vindicated their right to independence; they had resisted the North, and conquered the North, having rolled back the tide of invasion; secondly, it was, as he proceeded to show, for our interest to recognize their independence. Then had the time arrived for this course of action? He contended that it had. All he asked was, that the Government should enter into negotiations with the great Powers to obtain their co-operation with us in the recognition of independence. The great Powers, he said, meant France; and he gave an account of his own interview with the Emperor of the French, and some important declarations made by the Emperor, who gave him, he said, authority to disclose them to that House. The Emperor of the French said, "As soon as I learnt that the rumour of an alteration in my views was circulating in England, I gave instructions to my Ambassador to deny the truth of it. Nay, more; I instructed him to say that my feeling was not, indeed, exactly the same as it was, because it was stronger than ever in favour of recognizing the South. I told him also to lay before the British Government my understanding and my wishes on this question, and to ask them still again whether they would be willing to join me in that recognition." "Now, sir," continued Mr. Roebuck, "there is no mistake about this matter. I pledge my veracity that the Emperor of the French told me that. And—what is more—I laid before His Majesty two courses of conduct. I said, 'Your Majesty may make a formal application to England.' He stopped me, and said, 'No; I cannot do that, and I will tell you why. Some months ago I did make a formal application to England. England sent my despatch to America. That despatch, getting into Mr. Seward's hands, was shown to my Ambassador at Washington. It came back to me; and I feel that I was ill-treated by such conduct. I will not,' he added, 'I cannot subject myself again to the danger of similar treatment. But I will do every thing short of it. I give you full liberty to state to the English House of Commons this my wish, and to say to them that I have determined in all things'—(I will quote his words)—'I have determined in all things to act with England; and more than all things I have determined to act with her as regards America.' Well, sir, with this before us, can the Government be ignorant of this fact? I do not believe it. With this before them, are they not prepared to act in concert with France? Are they afraid of war? War with whom? With the Northern States of America? Why, in ten days, sir, we should sweep from the sea every ship. (Exclamations of dissent.) Yes, there are people so imbued with Northern feeling as to be indignant at that assertion. But the truth is known. Why, the

'Warrior' would destroy their whole fleet. Their armies are melting away; their invasion is rolled back; Washington is in danger; and the only fear which we ought to have is, lest the independence of the South should be established without us."

Mr. Roebuck repudiated with scorn the argument that the cause of the North was the cause of the slave. "We are met by the assertion, 'Oh, England cannot acknowledge a State in which slavery exists.' Indeed, I ask, is that really the case, and is any man so weak as to believe it? Have we not acknowledged Brazil? Are we not in constant communication with Russia? And is there not slavery in both those countries? Moreover, does any body believe that the black slave would be at all improved in his condition by being placed in the same position as the free black in the North? I ask whether the North, hating slavery if you will, does not hate the slave still more? ('No, no.') I pity the ignorance of the gentleman who says 'No.' The blacks are not permitted to take an equal station in the North. They are not permitted to enter the same carriage, to pray to God in the same part of the church, or to sit down at the same table with the whites. They are like the hunted dog whom every body may kick. But in the South the feeling is very different. There black children and white children are brought up together. In the South there is not that hatred, that contempt of the black man which exists in the North. There is a kindly feeling in the minds of the Southern planters towards those whom England fixed there in a condition of servitude. England forced slavery upon the Southern States of America. It was not their doing. They prayed and entreated England not to establish slavery in their dominions, but we did it because it suited our interests, and the gentlemen who now talk philanthropy talked the other way. Every man who has studied the question will distinctly understand the difference between the feeling of the Northern gentleman and that of the Southern planter towards the black. There is a sort of horror, a sort of shivering in the Northerner when he comes across a black. He feels as if he were contaminated by the very fact of a black man being on an equality with him. That is not the case in the South. I am not now speaking in favour of slavery. Slavery to me is as distasteful as it is to any one; but I have learnt to bear with other men's infirmities, and I do not think every man a rogue or a fool who differs from me in opinion. But though I hate slavery, I cannot help seeing the great distinction between the condition of the black in the North and his condition in the South. I believe that, if to-morrow you could make all the blacks in the South like the free negroes in the North, you would do them a great injury. The cry of the North in favour of the black is a hypocritical cry, and to-morrow the North would join with the South and fasten slavery on the necks of the blacks, if the South would only re-enter the Union. But the South never will come into the Union, and—what is more—I hope it never may. I will tell you why I say so.

America, while she was one, ran a race of prosperity unparalleled in the world. In eighty years, not America, but Europe, made the Republic such a Power that, if she had continued as she was a few years ago, she would have been the great bully of the world. Why, sir, she

‘——— bestrode the narrow world,  
Like a Colossus; and we petty men  
Walked under her huge legs, and peeped about  
To find ourselves dishonourable graves.’

As far as my influence goes, I am determined to do all I can to prevent the re-construction of the Union, and I hope that the balance of power on the American continent will in future prevent any one State from tyrannizing over the world as the Republic did.”

Mr. Roebuck’s motion was for an Address to the Crown praying that Her Majesty would negotiate with the Great Powers of Europe, in order to obtain their co-operation in recognizing the Southern States as a Government.

Lord R. MONTAGUE, who followed him in the debate, moved an amendment, expressing the desire of the House that the Government should continue to maintain an impartial neutrality. He discussed the question of intervention, referring to historical precedents and recognized doctrines of international law, and summed up his argument in three propositions :—

First,—That we had no right, in the present case, to recognize the independence of the Southern States, or to intervene in any way. Second,—That it would involve us in alliances, which were always productive of bickerings and quarrels among the allies. Third,—That interference would be impolitic and injurious to the interests of this country, while it would not be likely to terminate the war.

The Prime Minister was not present in the House on this occasion in consequence of indisposition. The policy of the Government was vindicated by the Chancellor of the Exchequer. He observed that this question should be approached with the best endeavours to suppress every thing like passion, and to deliver a judgment with the utmost impartiality. He thought they ought to be very cautious in giving British interests a prominent place in the question, which would vitiate every argument in favour of interference. With regard to both the motion and the amendment, his objection was, that they involved the assumption that the House of Commons should undertake a function which it had not thought it expedient to assume, the exercise of a discretion that ought to be left to the executive government, which had cognizance of circumstances occurring day by day. Besides this objection, the particular moment, when military operations were in progress upon which vast issues depended, was the most unfortunate that could be chosen. Then, the speech of Mr. Roebuck was couched in a spirit of undisguised partisanship towards the South and of

hostility to the North. After adverting to the lamentable scenes of the war, he expressed his belief that public opinion in this country was almost unanimous that the restoration of the American Union by force was impracticable, and that the emancipation of the negro race could not be legitimately accomplished by coercion and bloodshed. He was most anxious that the contest should be brought to an end; but did Mr. Roebuck think that recognition would bring it to an end? If he did, he joined issue with him. Recognition, though not inseparably connected with the use of force, was commonly accompanied by it; and recognition of the South would produce reaction in the North. He had more confidence in the influence of public opinion than in diplomatic action, especially on the part of those who might be suspected of selfish and interested motives.

Mr. W. E. FORSTER supported the amendment. He considered that recognition would be premature, and premature recognition would be a breach of neutrality, and would supply a *casus belli* to the North, if its Government chose to make use of it. He agreed with the Chancellor of the Exchequer, that it was probable that any approach to intervention would weaken the peace party in the North. The Conscription law had passed the Congress in consequence of the action of France. If the address was agreed to, there would, in his opinion, be a risk of war. However suicidal a war might appear on the part of the North, he could not say there was no chance of war. As to the question of slavery, though he was not one to justify the North in their conduct upon this question, we must look, he said, to results. In the North the old love of slavery was departing. It was believed that slavery and the Union could not co-exist. In the South, slavery was defended; there were to be races to serve and races to govern. The motion of Mr. Roebuck, if it meant any thing, meant intervention, the result of which might be to provoke a complicated civil war, embittering hostilities between the parties, and to doom the country to centuries of anarchy.

LORD ROBERT CECIL replied to the speech of the Chancellor of the Exchequer, whose concessions, he thought, neutralized his objections. We did not want war; we wanted peace to relieve our suffering artisans. This was our title to interfere, it being the opinion of two great nations that the war in America was hopeless, and it was his belief that the expression of this opinion would carry enormous weight, and weaken the influence of the war party.

Mr. BRIGHT animadverted severely upon the speech of Mr. Roebuck, selecting particular expressions for special notice, and contrasting the terms in which he had spoken of the Emperor of the French that night and upon former occasions. Mr. Roebuck, he said, would help to break up a friendly nation, and create an everlasting breach between the two nations, because he deemed it for the interest of England. The whole case rested upon either a



miserable jealousy or a base fear. He looked at the interest of England in a different point of view. He believed the war was more likely than any thing else to abolish slavery. The supply of cotton under slavery must always be insecure. It was the interest of England that the supply of cotton should be by free labour rather than by that of slaves. As to the political aspect of the question, the more he considered this war, the more improbable he thought it that the United States would be broken into separate Republics. The conclusion to which he had come was that, if there should be a separation, the interests, the sympathies, and the necessities, perhaps the ambition, of the whole continent were such that it would be reunited under a central Government. And this Government might be in the hands of the South. Having dwelt at considerable length upon the hideous features of Southern slavery, and eulogized the Northern institutions, it was against such a Government, he observed, in such a contest with such a foe, that Mr. Roebuck asked the House to throw into the scale the weight of the hostility of England.

Sir GEORGE GREY gave a distinct contradiction to the statement that a communication had been made by the Emperor of the French to Her Majesty's Government in regard to the war in America, founded upon what had passed at Mr. Roebuck's interview with the Emperor.

These speeches having occupied many hours, an adjournment of the debate to a future day took place, but before it could be resumed, the inconvenience of pressing the House of Commons to a vote upon such a momentous question was strongly felt in many quarters. Accordingly, on the meeting of the House some days afterwards, an earnest appeal was addressed to Mr. Roebuck by Sir John Ferguson that, in consideration of the uncertain issue of events now pending in America, and the inexpediency of fettering the hands of the Government by a decision of the House of Commons, he would consent to let his motion drop. This appeal was forcibly seconded by Lord Palmerston. He said, "Events of the utmost importance are about to take place in America, and we may hear in the course of a few hours of results commensurate with the importance of those events, and evidently the present is not a proper moment to ask the Government to prejudice itself with respect to its free action. It is not likely, I think, that the House would agree either to the motion of the hon. and learned member for Sheffield, or to the amendment which has been moved to it; and, indeed, I think it very disadvantageous to the public service that any such resolution should be adopted. Therefore the discussion, as far as any practical results may have been expected by those who are in favour of the motion, would have no important effect. I can assure the House, whereas now it is plainly acknowledged by every body that the wishes of the Emperor of the French to find a fitting opportunity for advising the re-establishment of peace in

America are not changed, that on the other hand Her Majesty's Government do not see that that opportunity has arisen; though they would at all times be willing to exchange opinions with the Emperor of the French not only on that subject, but on any other relating to the interests of nations. But there is another and peculiar circumstance which makes the hon. and learned member's compliance with this appeal still more desirable. It is hardly possible that the debate could be resumed without a revival of the discussion as to what passed in the interview between the hon. and learned member and the hon. member for Sunderland (Mr. Lindsay) on the one side, and the Emperor of the French on the other. It was quite natural that they should seek that interview, for the hon. member for Sunderland had previously had frequent interviews with the Emperor of the French on those questions relating to navigation in respect to which he takes an active part in this House. Therefore, it was perfectly natural that the hon. member should see the Emperor of the French, and equally natural that, seeing the Emperor, the hon. member, together with the hon. and learned member for Sheffield, should express opinions on the American question. I, however, venture to submit that the question as to what passed between two private members of Parliament and a foreign Sovereign is not a question to be discussed in this House. Not to say that such a discussion is sure to lead to explanations on both sides, which, like all public explanations of private transactions, leave an unpleasant feeling generally on both sides, it must tend to deter the Emperor of the French from continuing that courteous and useful reception, which he is so graciously pleased to give to all Englishmen of note, who may be furnished with information advantageous to the friendly relations of both countries. It is obvious, however, that this reception now accorded by the Emperor of the French must be checked, if the Emperor should feel that what passes in the *abandon* of private intercourse is to be made the subject of public discussion. As it is impossible that the debate on America can be resumed without leading in some way or other to the revival of that personal discussion, I trust that my hon. and learned friend the member for Sheffield will allow this debate to drop."

Mr. ROEBUCK agreed to consider the suggestion made to him, and to give his answer on an early day. At the next meeting of the House he moved that the order for resuming the debate be discharged. Lord Palmerston, he observed, had suggested very grave considerations which recommended such a course, and had urged that the time had not come for discussing such a question; but let the noble lord, he added, bear in mind that there were two great dangers—one was the possible re-construction of the Union on a Southern basis, the other was the acknowledgment of the Southern Confederacy by the Emperor of the French alone. In conclusion, he said, it was only from a feeling of great respect for Lord Palmerston that he withdrew his motion.

Mr. LINDSAY gave an explanation of the circumstances which had led to the interview of Mr. Roebuck and himself with the Emperor of the French, and he stated the substance of what had passed at that interview, in confirmation of Mr. Roebuck's narrative. Lord Palmerston added some emphatic comments upon this occurrence, which received the marked assent of the House. He said he thought Mr. Roebuck had judged rightly in moving to discharge the order, as no good could arise from a discussion or a decision upon the motion. He only hoped that this would be the last time that any member of the House would think it his duty to communicate to a British House of Commons what might have passed between himself and the Sovereign of a foreign country. He did not attribute any blame to the two hon. members, but he must impress upon them that the proceeding they had adopted was most irregular. If the Emperor of the French and the Queen of England had any communications to make to each other, they had ambassadors, who were the proper organs.

The order was then discharged, and the matter terminated.

The relations between this country and the Government of the Federal States during this period were of such a nature, that without great caution and forbearance there was imminent risk of their assuming a hostile character. There was danger of such a result not only from political embroilments at a time when national jealousies were in a highly sensitive state, and much irritation towards England was evinced by the American newspaper press, exciting a corresponding asperity on this side the Atlantic, but also from the operation of commercial interests under circumstances of no ordinary temptation to speculative enterprise. The great profits afforded by commercial dealings with the Southern States, especially in articles required for purposes of war, presented temptations to run the blockade which no considerations of individual risk or of national policy were strong enough to counteract, and the ingenuity of our merchants and traders was successfully exercised in masking their illicit traffic, and, under pretence of dealing with neutral parties, carrying on a circuitous but most gainful intercourse with one of the belligerents. As the profit of such adventures was large, so also was the danger considerable, and many captures of British vessels took place. The adventure in the majority of cases was so palpably illegal that no ground of complaint could be alleged, but in other cases, where the destination and object of the captured vessel were equivocal, the seizure was protested against as a violation of international rights, and our Government was urgently appealed to for interference and redress. In such cases a very arduous and embarrassing duty was imposed upon the British Minister. He was bound, no doubt, on the one hand, to protect the rights of his own nation and the trade and property of his fellow-subjects. On the other hand, he could not close his eyes to the fact that, in spite of the Queen's Proclamation of neutrality, the supplying of

commodities to the Southern States by evading the blockade had become an unavowed, but very lucrative, trade to our merchants. It was notorious, indeed, as Earl Russell stated in a debate which arose in the House of Lords out of these occurrences, that "many swift vessels were employed in running the blockade, the owners of which, if their ships were seized, put on an air of injured innocence and demanded redress of the Foreign Office." Nor was it to that department only that such complaints were addressed; on several occasions the alleged injuries suffered by the owners of captured vessels found exponents in Parliament, and the Ministers of the Crown were called to account for submitting to violations of international law at the hands of naval officers of the Northern States. Great care and discretion were required from the executive in dealing with such cases, in which the facts were often intricate and disputed, while the national susceptibilities on both sides were unusually acute. Another active cause of irritation, which threatened serious danger of dissension between the Federal Government and our own, arose out of the construction in the yards of some of our leading eminent shipbuilders of vessels which, it was alleged, and in some instances truly alleged, were built by the order, and intended for the naval service of, the Southern States Government. One of these ships in particular, the "Alabama," an iron steam-vessel, built at Liverpool, which by her great speed and the skill and daring of her commander and crew, inflicted serious losses on the Northern commercial marine, was the subject of loud and angry complaints against our Government, which was accused of having violated the obligations of international law in permitting the construction of such a vessel within its jurisdiction. It is true that the British authorities were not unaware of the suspicious character of this vessel; the law officers of the Crown had actually been consulting on the propriety of arresting her before her departure from the docks, and the order for seizure by the officers of Customs had actually been issued, but arrived too late, the "Alabama" having previously left the harbour and put out to sea, where she shortly afterwards commenced her formidable aggressions upon all vessels that fell in her way, bearing the ensign of the stars and stripes.

In the case of another vessel, the "Alexandra," built under like circumstances in an English yard, a different result took place. An order for the detention of this ship was issued by our Government, and was actually executed. The officers of Customs took possession, but the legality of the seizure was disputed, and the question of its validity was tried in the regular course in the Court of Exchequer. The case, which turned upon the construction of the Foreign Enlistment Act, will be found at some length in another part of this volume. The evidence, as laid before the jury, failed to satisfy them that there had been a violation of the Act in question, as it was expounded to them by the Lord Chief Baron, and the owners of the "Alexandra" obtained a verdict,



subject, however, to the judgment of the Court of Exchequer, which was afterwards appealed to on the part of the Crown to set aside Chief Baron Pollock's ruling. Meantime, the decision of the jury was regarded by the party exasperated against England in the Northern States, as another symptom of the unfriendly feelings entertained towards them by this country.

The seizure of other British vessels,—among which were the “Adela,” the “Peterhoof,” and the “Dolphin,” which had been professedly bound to Matamoras and Nassau, but were captured by the Northern cruisers and carried into the American Prize Courts for adjudication,—gave occasion to remonstrance and debate, the cause of the owners being taken up by influential speakers in Parliament, who represented the seizures as infringements of international rights. Of these remonstrances the Marquis of Clanricarde was on several occasions the organ in the House of Lords. Insisting that this country ought to afford adequate protection to her commercial marine, he denounced the seizure of vessels bound to Matamoras and Nassau, as a means of monopolizing the trade to Matamoras for the benefit of the New York shippers. If it were said that more stringent measures on the part of our cruisers would result in war, he pointed out that our gunboats did even at present afford now and then protection without a war resulting, and that it was improbable that war would ensue were more effective measures of protection adopted. But if war should ensue, then in no cause could this country be better engaged than in the defence of her commerce. Owing to the repeated seizures which had taken place, it had become impossible to effect insurances on ships trading to the western hemisphere except at ruinous rates. He protested against the blockade of 2500 miles of coast established by the United States, and showed, from the practice of the United States themselves in regard to the blockade of the South American coast (a coast of only a few hundred miles in extent) by Spain, that they deemed such a blockade absurd and unjust. The blockade was ineffective, and ought not to be recognized. Lord Clanricarde further expressed his dissatisfaction and want of confidence in the decisions of the American Prize Courts.

The views thus stated by Lord Clanricarde no doubt expressed the opinions of a large and influential party in this country; but in the existing critical state of international relations, it behoved the Government, unless they were prepared to plunge the nation into a war, to balance the conflicting interests in equal scales, and while administering the law applicable to these transactions with strict impartiality, to refrain from all words or deeds calculated to aggravate the misunderstandings and suspicions already excited between the two nations. In answering Lord Clanricarde's appeals, Earl Russell, while he declined to enter into a discussion of the specific grounds on which certain British vessels had been condemned, vindicated the justice and impartiality of the American Prize Courts, which proceeded upon settled doctrines and autho-

rities of international law, and stated that, on referring their decisions to the opinion of the law officers here, no rational objection had been found against them. Mr. Seward had always acknowledged that there must be a certain and legal cause of capture before a ship was taken. Admiral Milne had been instructed to protect vessels from unjustifiable seizure in the neighbourhood of Matamoras, although it did not appear that the American cruisers had done any great injury to the trade of that port, as its harbour was crowded with ships. That a large and gainful trade was carried on with the South in contravention of the blockade no rational person could entertain a doubt, though when the offending ships were seized, loud protestations of the innocence of their designs were made. He pointed out the inconsistency of at one moment stating that the blockade was easily broken, and at another blaming American cruisers for attempting to seize vessels suspected of such a purpose. In regard to the blockading a line of coast, he showed that this country had formerly proclaimed a blockade of 2000 miles of American coast, and thought it would hardly be becoming or wise for England to protest against a course she had herself formerly adopted, and which, in the case of a war with the United States, she would probably adopt again. In conclusion, he expressed his intention, as Foreign Minister, of being guided, not by a wish to avenge fancied affronts, but to uphold the honour of the country by adhering to justice.

The Earl of DERBY added the weight of his high position and authority to the counsels of moderation thus urged by Earl Russell. He joined with the Foreign Secretary in deprecating reflections upon the honour of the American Prize Courts. He added also his opinion, that we ought to make fair allowance for the natural irritation felt in America at the breaking of the blockade, and the furnishing of supplies to the Confederates.

The diversity of opinions entertained in this country on the subject of the transactions now in question, and the general state of our national relations with the belligerent powers, were well illustrated by a debate which took place in the House of Commons on the 28th of March, which was also remarkable for the clear and satisfactory exposition of the law given upon that occasion by the Solicitor-General, Sir Roundell Palmer, in a speech that attracted much attention on both sides of the Atlantic. The discussion originated in inquiries addressed to the Government with reference chiefly to the case of the "Alabama," by Mr. W. E. Forster, who asked whether the attention of Her Majesty's Government had been called to the danger to our friendly relations with the United States resulting from the fitting out in our ports of ships of war for the service of the Confederate States, in contravention of the Foreign Enlistment Act, and of the policy of neutrality adopted by this country. He read various documents, the facts stated in which, he seemed to think, showed a blindness or want of vigilance on the part of

British authorities that threatened to jeopardize our friendly relations with the United States. He did not ask the Government, he said, to infringe the law, but to carry out the law, and, if the existing law was not sufficient, to come down to the House and demand further powers.

The SOLICITOR-GENERAL observed that the case of the "Alabama" (upon which Mr. Forster had enlarged) was only a part of a series of accusations of breach of neutrality which the Government of the United States had permitted itself to make against this country. He referred to a catalogue of cases in papers laid before the American Congress, upon which such accusations were founded, without, he contended, any solid ground, no principle of international law, as recognized by the practice of all maritime nations (and, as he showed, by that of the United States themselves), having been violated. He cited cases determined by American Courts, and doctrines laid down by American judges, which took away all ground of international complaint in the matter of the "Alabama." In this and other matters, he vindicated the Government and the Customs' authorities from the charges of delay and want of vigilance alleged against them, expressing his surprise at such charges, the Government having acted, not only with good faith, but (as he proved by reference to dates) with reasonable promptitude and despatch. The Government were, he said, most anxious to enforce the law to the utmost of their power; but they must have legal evidence of an intended violation of the law before they could act, as they would then do without partiality or favour. In conclusion, he expressed a hope that he had satisfied the House that the Government were free from blame, and that what he had said would tend to remove false impressions in the United States.

The Solicitor-General's defence of the conduct of the Government in this matter was animadverted upon with various comments from different quarters of the House. Mr. Bright considered that it would be unsatisfactory both to the United States and to many persons in this country. He regarded the Government as deserving much blame for permitting the escape of the "Alabama," the fitting out of which was as notorious as the building of other vessels of war in this country for the service of the Confederates. Our neutrality, he declared, was a cold and unfriendly neutrality, or the Government would prevent the sailing of these vessels, which tended to peril our friendly relations with the United States.

Mr. LAIRD (the eminent shipbuilder) read accounts of the aid supplied to the Northern States from this country, alleging that, if the Confederates had obtained here two unarmed ships, the North had obtained large quantities of arms and munitions of war; and he mentioned applications made to him for armed vessels on the part of the Northern Government, offering to place the original letters in the hands of the Speaker, or of the First Minister of the Crown.

Mr. THOMAS BARING thought that the Government could not be acquitted of tardiness in the proceedings with regard to the seizure of the "Alabama;" and he dwelt upon the danger to the pacific relations of the two countries from the irritation now prevailing, which he did not think the speech of Sir R. Palmer calculated to diminish. He considered the transaction in question most unfortunate, because it led public opinion on the other side of the Atlantic to question very much the sincerity of our declarations of neutrality, and to believe that, while we issued proclamations, and had Foreign Enlistment Acts in force, we did not really wish to maintain the neutrality which we professed. It was most unfortunate that such a feeling should exist. There had been a vast destruction of property, and great injury had been entailed upon British commerce. No one could tell where the feeling of animosity which had been engendered would rest.

LORD PALMERSTON expressed regret at the tone of Mr. Forster's and Mr. Bright's speeches. He lamented the proneness in America to raise a party cry against England, which he hoped would not be carried too far, since it had a tendency to endanger the friendly relations between the two countries, and he regretted that speeches should be uttered in that House calculated to encourage that cry. The Solicitor-General had demonstrated that the Americans had no just ground to find fault with us; that we had done every thing the law enabled us and authorized us to do. It would have been much more agreeable to the Government if no supplies of any kind had been furnished to either of the belligerent parties, but they could not go beyond the law.

As the Ministers of the Crown had to vindicate themselves against the charge of not interfering in time to stop the "Alabama," they had also to defend their conduct against the imputation from another quarter of having acted prematurely, and without sufficient justification, in arresting the "Alexandra." This case was brought before the House of Commons by Mr. Horsfall, one of the members for Liverpool, who was supported in his censures upon the Government for seizing an unarmed vessel upon mere suspicion by some of the leading Conservative lawyers, Sir F. Kelly, Sir H. Cairns, and Mr. Whiteside. Mr. Cobden urged forcibly the duty of the Government to maintain the provisions of the Foreign Enlistment Act, and to observe towards the United States the same honourable conduct they had maintained towards us. The Solicitor-General again ably vindicated the conduct of the Government in regard to the transaction in question. He declined to produce papers or to give information which would constitute the evidence on the part of the Government at the approaching trial. Every thing, however, had been done according to the usual course of the law. Whether there was a good defence would appear hereafter; but the Government had before them information upon oath of a violation of the law, and it was their bounden duty to act upon it.



## CHAPTER V.

The distress in the Cotton Manufacturing Districts—Its origin and extent—Progressive decrease in the recipients of relief from the beginning of the year—Admirable patience of the operatives thrown out of employment—Contrast to the spirit displayed at former periods in the same districts—Single exception to the tranquil demeanour of the people—The Riots at Staleybridge—Outrages committed by the insurgents—Their apprehension and trial—Remarkable paucity of crimes attributable to manufacturing crisis—Physical effects of the distress—Absence of epidemic disease or increased mortality—Favourable reports of the Registrar-General and other authorities on the sanitary state of Lancashire—Wise measures adopted by the Relief Committees to promote cleanliness and health—Other causes of the satisfactory physical condition of the operatives—The Relief Funds, whence derived and how appropriated—Sums levied by poor-rates under the Union Relief Act of 1862—Voluntary contributions of the public—Large amount subscribed by all classes in the United Kingdom and the Colonies—The Mansion House Fund, the Manchester Central Relief Fund, the Bridgewater House Fund, and other channels of contribution—Organization for distributing the subscribed funds—The Mansion House Committee, the Manchester Central Executive Committee, and subordinate local Committees—Special application of the funds allotted to the several districts—Payment of school fees—Question of emigration—Limited aid afforded from the relief funds to that object—Legislative measures of relief—Renewal of the Union Relief Aid Act of 1862—Debates in Parliament on this and other measures applicable to the distress—Speeches of Mr. Villiers, Mr. Wilson Patten, and other members—The Renewal Act is limited, on Lord Stanley's suggestion, to six months—At the expiration of that time it is again renewed with some alterations—Discussion as to the policy of applying the rates towards assisting emigration—Important speech of Mr. Cobden—Plan for employing the surplus labour of the Cotton Districts in outdoor works for the improvement of towns by means of Government loans—A Commissioner is appointed by the Government to inspect the districts, with a view to this measure—His report—A Bill to authorize the execution of works of public improvement out of funds advanced by the Treasury is brought in, and a sum of 1,000,000*l.* authorized to be issued—Operation of this measure at Blackburn, Bolton, and other places—Prospects and speculations as to future supply of the raw material for cotton works—Discussion in the House of Commons on the sources of supply, especially with reference to the capabilities of India—Speeches of Mr. Caird, Mr. Cobden, and Mr. Bright—Sir C. Wood defends the Government against the charge of neglecting the encouragement of Indian cotton-culture—Greatly enhanced prices of the raw material at the close of 1863—Extensive speculations in cotton, and danger of a monetary crisis.

THE history of the Cotton Famine in the manufacturing districts of England in the years 1862-3 deserves to be regarded as one of the most remarkable chapters in our modern annals. Whether we regard the magnitude of its operation, the vast amount of labour which it paralyzed, and the masses of population which it reduced from comfort to destitution,—whether we contemplate the patient fortitude, and almost unvaried submission to the law with which it was endured, or the noble efforts made for its relief, and the admirable organization by which the contributions of the nation were administered,—in any view of the case, we shall find much in the circumstances of this great calamity to qualify the pain with which it would otherwise be regarded, and to make us proud of those qualities in the people which could extract much good from so terrible a reverse.

The maximum pressure of the distress occasioned by the stoppage, partial or total, of the cotton mills of Lancashire and Cheshire had been attained a short time prior to Christmas, 1862. In the month of December the number of persons receiving regular relief was supposed to be little short of 500,000. The weekly loss of wages at the same time was estimated at about 168,000*l*. In the last two or three weeks of the year a partial improvement took place, and in January, 1863, according to the statement officially made to the Manchester Relief Committee, the number of persons receiving aid from the rates and from the contributions of the public together was 456,786. From this time a progressive decrease took place,—the numbers relieved during the five months following being as follows:—

|             |   |   |   |   |         |
|-------------|---|---|---|---|---------|
| In February | . | . | . | . | 440,529 |
| „ March     | . | . | . | . | 426,411 |
| „ April     | . | . | . | . | 364,419 |
| „ May       | . | . | . | . | 294,281 |
| „ June      | . | . | . | . | 256,230 |

It thus appears that the number of persons dependent on parochial rates and on voluntary contributions became reduced at the end of the first half of 1863, as compared with the maximum amount in December, 1862, by almost one-half. This favourable result was due partly to the resumption of work in some of the factories, owing to an increased supply of the raw material, and partly to the absorption which had taken place to some extent of the surplus hands in other employments, and to the removal and emigration of some part of the population. This decrease in the number of the unemployed operatives continued with little variation during the summer. In July the number relieved had fallen to 214,155; in August to 205,261; and in September to 184,625. The list of persons relieved at that time exhibited a steady decrease of about 1500 per week. In that month it was computed that out of the 530,000 operatives of all ages whose industry depended upon cotton, there were 362,000 in employ, of whom nearly 250,000 were at full work, and 120,251 working short time, while 171,535 were entirely out of employ. It was apprehended that, as winter approached, a reaction would take place, and that the relief lists would again begin to show a serious augmentation. But this expectation was only to a small extent realized. The number relieved in the month of October was 168,170. In November it increased in a trifling degree, being 170,859; and in December it showed an addition of about 10,000, the total being 180,900. Still, upon a comparison of the number of persons in receipt of relief in the first and last months of the year respectively, the improvement was very marked, the last week of December as compared with January showing the very large decrease of 275,877. The average percentage of pauperism on the population of twenty-seven unions in the last week of December, 1863, was

6·8; whereas in the corresponding week of 1862 it had been 13·2. It was further shown by a report of the Special Commissioner of the Poor-law Board on the 4th of January, 1864, that at that date, as compared with the last week in March, 1863, a reduction had taken place of 33,963 in the actual number of operatives in the cotton districts, the surplus having been transferred to other fields of employment,—viz., 18,244 having emigrated to the colonies or the United States, and 15,725 having found other occupations within the districts.

The calamity which thus pauperized one of the most active and prosperous provinces in the kingdom had, at the time when it first appeared imminent, filled all hearts with alarm. The problem of sustaining for months, or perhaps years, a vast unemployed population, whose indigence must involve to a great extent the interests and subsistence of other classes dependent upon them, was one which appeared impossible of solution, while the moral and political dangers likely to result from such a disorganization of the social economy excited the gravest apprehensions. That large masses of men would sit down and patiently endure starvation to themselves and their families, did not seem a probable supposition. Scarcely ever in recent times has the State been threatened with so formidable a shock. There have been periods by no means remote in the history of this country, when such a crisis would not have been surmounted without an outbreak of lawless violence. Had the same state of things existed thirty or forty years ago, it would certainly have been accompanied with some symptoms of commotion—bread riots, seditious gatherings, or outrages against life or property. Happily, we live in times when the improvement of our laws and institutions, the extension of education, and the better understanding which these and other causes have induced between the various classes of the community, have gone far to obviate such dangers. A conviction of the justice of the laws under which they live, and a confidence in the Government which administers them, have taught an intelligent and well-affected population those principles of self-control which afford the best guarantee for the safety of the State. Still more, the assurance that they possessed the sympathy, and might reckon upon the liberal aid of their more fortunate fellow-subjects in the hour of their calamity, had power to reconcile the sufferers to what they well understood to be an inevitable misfortune. Actuated by these feelings, the unemployed operatives displayed throughout the dreary season while they were existing in enforced idleness upon the bare pittance which the relief funds could afford them, a manly fortitude and submission to the law, which won the respect and admiration of all observers. To men accustomed to the comforts which a high rate of wages affords, priding themselves, not unnaturally, on that energy which has made Lancashire the wealthiest and busiest province of the kingdom, and inspired beyond most English-

men with a strong feeling of independence and self-reliance, it was a sore trial to find themselves reduced to the condition of idlers and almsmen, compelled to subsist on the calculated allowance of bare necessities, with nothing to occupy their thoughts but the prospect of their own irremediable, and, to all appearance, indefinite misery. Yet this terrible ordeal was endured with almost undeviating resignation and tranquillity. With a single exception, which truth requires to be stated, there was no disturbance, no outrage, scarcely any agitation or audible complaint, throughout these heavily-afflicted districts. No military force was needed, save in that single instance, to keep starving men from preying upon the property of their neighbours; no prosecutions were required to repress the seditious suggestions of "*male suada fames*." They made no parade of their misery, uttered no rebellious murmurs at their destiny, breathed no whining appeals for charity. A loyal and patient spirit, a peaceable and orderly demeanour, marked the scene of one of the severest visitations that has ever in time of peace afflicted a civilized community.

The single exception, which impartial history requires us to record, to the exemplary conduct of the distressed operatives, was an outbreak which took place in the month of March of this year, at Staleybridge, adjoining Ashton-under-Lyne. It arose out of an alteration, which, acting doubtless on good grounds, the Local Relief Committee had determined to adopt in the administration of their funds. They resolved that the adult operatives should be paid with tickets, instead of money, at the rate of 3s. a week, and that they should be kept a day in hand. These tickets the men refused to accept, and mustered in large numbers at the close of the day at the place where the relief was to be distributed. Here they became much excited, attacked with stones and missiles the small number of police sent against them, put them to flight, broke the windows of the most prominent members of the Relief Committee, and sacked the house of one of them. Several shops were plundered. The Relief Committee's clothing-stores were then broken open. In these stores were piled up heaps of moleskin jackets, trousers, waistcoats, stockings, calico, and linen under-clothing for women, besides large quantities of moleskin and other cloths for making up into garments. As fast as a score of lads and lasses could pick the goods up, were these useful things hurled out of the upper windows to the people below. Complete showers of jackets were tossed into the streets, followed by bundles of stockings, waistcoats, flannel shirts, or chemises. People kept continually leaving the crowd with armsful of all kinds of clothing. Shortly after, a troop of the 14th Hussars from the Ashton barracks appeared in sight. A loud cry of "The soldiers are coming!" was raised, and the Hussars galloped along, flourishing their swords. Every one looked after his or her personal safety, and fled from the street immediately. But many arrests were made. The troops



were preceded by the Mayor and another magistrate on horse-back. They were received by the mob with hooting and yelling, amid which discordant noises the magistrate read the Riot Act to the populace. No missiles, however, of any description were thrown either at the police or the troops. After the Riot Act had been read, the troops commenced to clear the streets, and proceeded up and down, driving the people before them. The police were now engaged in capturing those who had stolen things from the stores, great quantities having been conveyed into the dwellings contiguous to the spot. In some of the houses the people commenced burning the clothing in order to escape detection; others threw it into the canal; and various articles of wearing apparel might be seen floating on the water for some time. At night great numbers were taken into custody by the police, and the military withdrew from the town, the magistrates sitting all night.

The next day eighty-two of the rioters were brought before the magistrates, when twenty-nine of them—all, with one exception, Irishmen—were committed for trial at Chester Assizes. Troops and police escorted them to the railway station in the midst of a great mob. Stones were thrown at the police, and one constable was knocked down by a stone. The disturbances were renewed after it became known that the Committee refused to submit to the dictation of the mob, and would, for the present at least, adhere to the obnoxious arrangement. The authorities had secured the assistance of two additional troops of Hussars, and a considerable body of the county police; but, notwithstanding these precautions, the rioters resumed their operations, and, baffling the military and police, either sacked provision-shops or overawed tradesmen into compliance with their demands for food.

The town was in a greatly-excited state throughout the next day, immense numbers, many of them strangers, parading the town; but no outbreak took place.

A meeting of the Relief Committee was held at Staleybridge the next morning, and in consequence of their adhering to their resolution not to give relief in money, but by tickets, all the operatives except eight refused to receive them. Bodies of operatives proceeded to Ashton, Dukinfield, and Hyde. Most of the shops were closed all day; but the smaller provision-shops were opened in the morning, and the consequence was that their owners, in many cases, were frightened into the distribution of food to the mob. In the same way the keepers of beer-houses and public-houses were induced more by fear than violence to give beer to the people. In the evening there were from 15,000 to 20,000 people in the streets, but no actual rioting occurred.

The procession of rioters from Staleybridge reached Ashton about ten on the same morning. They were joined by the disreputable classes there, and another riot took place. The military were again called out, and several arrests were made. The mob was broken and

dispersed for the time; but a considerable number again collected and proceeded towards Dukinfield, sacking several shops on their way. At Dukinfield they were received by a body of the county constabulary, under Captain Elgee, who, with the assistance of the military, dispersed and drove them back to Staleybridge. The majority of these disturbers of the peace were believed to be persons who never worked in the mills, but were unskilled labourers of the place, a large proportion of them being natives of Ireland.

A party of rioters (some 400) left Staleybridge for Ashton the following day. They found the authorities, the special constables, and the police drawn up across the road. The mob, seeing this stoppage to their progress, threw a shower of stones, whereupon the police were ordered to charge with their staves, and this they did so effectually as thoroughly to disperse the mob, who were driven as far as Tarney Valley, where Captain Elgee, with two divisions of police (sixty men), joined in the pursuit. Thus the rabble was driven back into Staleybridge, whence they came. During the interim a riot broke out in Stamford-street, where the windows were smashed. The police soon dispersed this mob also.

The same day the operatives of Staleybridge, at a public meeting, resolved to accept the relief tickets for the preceding week, leaving open the question whether they should be paid half in money and half in tickets. The proceedings of the meeting were very orderly.

At the ensuing Chester Assizes, the persons who had been committed by the magistrates as being concerned in the riots at Staleybridge, Ashton, and Hyde, were put upon their trial. Forty-two persons in all were convicted, and sentenced to terms of imprisonment varying from one to six months. Most of the prisoners were lads.

It is satisfactory to record that no loss of life occurred throughout these disturbances. Mr. Baron Martin, in his charge to the grand jury at the Spring Assizes at Liverpool, referred with much satisfaction to the total absence from the criminal calendar of Lancashire of offences which could be traced to the existing distress, and Mr. Commissioner Farnall, at a meeting of the Central Relief Committee, expressed, in reference to the lamentable outbreak which had occurred at Staleybridge, his hope "that the benevolent people of England would not conclude, that the portion of the workpeople of Staleybridge who had been misled into violence, represented the operatives of the cotton districts."

While the moral state of the distressed operatives presented this satisfactory aspect, the credit of which should suffer small detraction from one transient ebullition, the effect of the stoppage of work and wages upon their physical condition was not less remarkable. It had been anticipated, not unreasonably, that the reduced scale of diet, the depression of spirits, and deterioration of animal and mental vigour consequent upon the loss of employment,

would have predisposed the Lancashire operatives to some serious epidemic maladies, and that sickness and increase of mortality would have been observable in those districts. In this respect again the apprehension exceeded the result.

At the close of the year 1862, the Central Executive Committee of Relief at Manchester, stated in their report that they "had reached the middle of the winter without the outbreak of any serious epidemic, or the appearance of any of the grave forms of disease—such as scurvy, diarrhœa, or dysentery—which usually follow low diet, with little variety of food and the use of inferior forms of aliment." On the 30th of January, 1863, the Registrar-General in his Quarterly Report, after remarking that the North-western counties, Yorkshire, London, the Northern counties, and the West Midland, are five divisions in which the highest rate of mortality prevails, states that "the history of the distress is not written in the death registers of the year that is closed (1862)." In the next following Quarterly Report of the same officer, dated April 30, 1863, occurs this remarkable passage:—

"On comparing the returns of the deaths in the eleven divisions" (of England), "attention is immediately drawn to the fact, that in all the divisions, with one exception, the deaths were more numerous last quarter than in the March quarter of 1862; and the single exception is found in that division where the staple industry in which half a million of persons are dependent is overthrown, and for a twelvemonth four-fifths of that number have subsisted, unless the pittance has been aided by previous earnings, or sale of household stock, on less than 4*d.* a day per head." "It will be gratefully admitted that the legal provision for the distress and the spontaneous liberality of their countrymen have hitherto sufficed to maintain the people in health."

The Report for the 30th of June, 1863, records the prevalence of measles and scarlatina in Lancashire and Yorkshire, in common with many southern counties, but remarks that "in reviewing the whole facts of the present return they will be found to support the conclusion which former reports tended to establish, that sickness has not been aggravated, nor mortality increased, by the distress which has prevailed, and which, happily, to a certain extent, has now been subdued."

In the Report dated the 30th of October, 1863, the Registrar-General states, as to the sanitary condition of England, that "scarlatina and diarrhœa, widely diffused over the country, were the chief immediate causes from which the increase of mortality then reported sprung. The unfavourable influences that were at work pervaded the country generally, and Lancashire did not suffer more than most parts, but less than some." And again, "Notwithstanding the distress which still prevails in Lancashire, and the greater distress it has suffered, it will be seen that in the present returns it may be compared with Yorkshire without disadvantage."

The observations of other authorities upon the sanitary state of the distressed districts confirm in a remarkable manner the above statements. Mr. F. Purdy, of the Statistical department of the Poor-law Board, in a paper read by him before the British Association, expressed his opinion, founded upon satisfactory data, to the same effect. The reports of the medical officers of the several Poor-law Unions in the cotton districts stated with remarkable unanimity the same conclusion. They declared that, "apart from epidemic maladies, whose origin and progress have been similar to those of other counties in which no distress exists, the health of the population is in a satisfactory condition, there being no ascertainable connexion between the origin, character, or spread of these diseases and the distress."

In the Ashton-under-Lyne Union alone, in which the duration and pressure of the distress were exceptionally great, did the medical officers report that the tone of the general health retarded convalescence from exhausting diseases, and the recovery of women from childbirth.

In like manner, Dr. Noble, in a report to the Manchester Statistical Society, stated concerning Manchester,—“I have a certain well-grounded conviction that, within the last two years, there has been nothing as to the mortality of the cotton districts in any respect unusual, and assuredly nothing to establish a relation of cause and effect between it and the distress.”

The unusual mildness of the winter of 1862-3 was no doubt one of the causes which alleviated the suffering and consequent sickness among the impoverished population; but, making ample allowance for this circumstance, the immunity from serious maladies which by the mercy of Providence was experienced by these districts during the season of their greatest depression, must be regarded as one of the most prominent and gratifying features in the history of the period. Much credit is due to the wise foresight of the Executive Committee at Manchester, who, keenly alive to the predisposing causes to sickness, urged the attention of the local authorities, by a manual issued for that purpose, to various sanitary precautions, especially the immediate emptying of cess-pools and ashpits; the lime-washing of the houses; the removal of all nuisances; and a house to house visitation to secure cleanliness and ventilation in the dwellings of those in the receipt of relief, as well as to the arrangements required to prevent the spread of infectious and contagious disease.

The large supplies of clothing, fuel, and bedding furnished by the benevolence of the public during the winter months materially conduced to the same results. By such means as these, one of the most disastrous effects foreboded from the pauperization of the cotton districts was happily averted, and, the usually inseparable concomitants of physical need, pestilence and mortality, were not added to the sufferings endured.

It has been stated in a former chapter that another evil result



anticipated from the derangement of manufacturing industry was likewise happily prevented. The crisis was supposed likely, not without reason, to occasion a serious defalcation in the Revenue, consequent upon decreased consumption of commodities and decline in the yield of taxation. In what manner these deficiencies were compensated, and the Revenue not only sustained but increased in its amount, has been fully stated in the chapter relating to the financial transactions of the present year.

It remains now to describe in what manner a public calamity so vast in its proportions, and so menacing in its effects, was to a great extent alleviated and robbed of its sting—what were the measures of relief afforded, and by what kind of agency they were applied—in what efforts the spontaneous sympathy of the country was manifested, and what plans the wisdom of the Legislature devised to cope with the emergency.

The funds by which the loss of wages was, to a partial extent, made up to the unemployed operatives, were derived from two main sources—the rates levied under the Poor-law, and the voluntary contributions of the public—the latter yielding by far the larger amount of the two. A movement more truly national in its character than the subscription for the Lancashire distress never existed. It extended from the metropolis to the remotest village in the three kingdoms—it included every class, from the wealthiest nobles and foremost members of the professional and trading classes to the humblest peasants and artisans. It was, however, by no means confined to the narrow limits of the British Islands. Wherever the English language was spoken, or subjects of the British Crown were to be found, the same sympathy was felt, the same liberal spirit was exhibited. The subscriptions from India, from Australia, Canada, and other dependencies of the British Crown, were on the most generous scale. Not only in our own settlements, but in foreign cities and places where British subjects happened to reside, subscription-lists were opened and remittances made to this country. Germany, France, Turkey, Egypt, Holland, Spain, Italy, Russia, Brazil, all sent their quota to the Fund. As an example of the universality of the movement, two contributions, one of 500*l.* and the other of 700*l.*, were received at the Mansion House from Honolulu, the name of the King of the Sandwich Islands heading the subscription. Nor should the liberality of our Transatlantic kinsfolk pass without mention. More than one vessel laden with provisions, the spontaneous gift of the American citizens for the relief of the suffering workpeople in Lancashire, landed her stores at Liverpool. Contributions of food, indeed, and of other necessities, as well as of money, poured in profusely from all quarters. An immense dépôt for articles of apparel was opened at Bridewell, in the City, and the bales of clothing sent there were sorted, packed, and conveyed gratuitously by the railway companies to the distressed districts.

It is not easy to ascertain with precision the total amount of the

money contributions, independently of the value of the supplies in kind. There was, in the first place, the fund collected under the auspices of the Lord Mayor, called the Mansion House Relief Fund, into which flowed the main stream of contributions from the metropolis, from various parts of the kingdom other than the affected districts, and from the colonies and foreign countries. Next there was the Central Relief Fund, received and administered by the Central Executive Committee at Manchester, and which included a wide range of contributors, both local and general. There was also a Bridgewater House Fund, a Liverpool Committee Fund, and many other local and subsidiary collections.

At the beginning of the year it appeared by the report of the Manchester Executive Committee that at that date, the total sum raised by all funds for the Lancashire distress, exclusive of poor-rate, was a little over 1,200,000*l*. On the 27th of April, Mr. Wilson Patten, M.P. for North Lancashire, a leading member of the Manchester Relief Committee, made the following statement in the House of Commons respecting the amount and sources of the relief funds up to that time:—

“The amount received from the commencement of the distress up to the present date from every source was made up as follows:—The Central Relief Committee, 959,000*l*.; in clothing and provisions, 108,000*l*.; subscriptions from the different localities, 306,000*l*.; private charity, 200,000*l*.; Mansion House Committee, 482,000*l*.; and Poor-law Board, 680,000*l*. Total, 2,735,000*l*. The expenditure was made up as follows:—Relief Committees, 920,319*l*.; ditto in clothing, 108,000*l*.; guardians, 625,000*l*.; and private charity, 200,000*l*. Total, 1,853,319*l*. Many remarks had been made which assumed that the county of Lancaster had shown a want of zeal and energy in the relief of the unemployed operatives. Of the 2,735,000*l*., however, raised for the relief of the distress, not less than 1,400,000*l*. had been provided by the county of Lancaster alone. Whatever might be said, therefore, with regard to the wealth of Lancashire, and however true it might be that individuals had held back, he thought the fact that during eight months the people of Lancashire had raised 1,400,000*l*. for this object would be a sufficient answer to any imputation that they had not done their duty. The balance now remaining in hand was as follows:—Central Fund, 486,000*l*.; the Bridgewater House Committee and the Liverpool Committee, 123,000*l*.; the Relief Committees, 90,000*l*.; the Poor-law Guardians, 56,000*l*. Total, 755,000*l*. The Mansion House Committee had also a balance of 90,000*l*., making altogether 845,000*l*.<sup>1</sup>”

<sup>1</sup> In the “Annual Register” for 1864, we shall, no doubt, be able to give the exact amount of the sums received from all sources for the relief of the distressed districts, from the first commencement of the subscriptions to their final close, which, it may be hoped, will take place when the occasion for further contributions shall have ceased, before the expiration of that year. Until then the means for a complete statement are not accessible.

The agency through which these large voluntary contributions of the public were administered and distributed, was necessarily large and complex. A great proportion of the duty was gratuitously discharged; and the zeal with which a large number of persons, many of whom were fettered by professional and other avocations, devoted their time to this charitable service was one of the many excellent features of this great national movement. The Lord Mayor of London presided over the Mansion House Committee—the recipient of a very large part of the offerings of the public at home, and of remittances from various parts of the world—and was assisted by a body of gentlemen, members of the Corporation, or men connected with the trade and business of the City, whose practical skill and knowledge were of the greatest service in the functions which they discharged. For a long period weekly meetings of the Committee were held at the Mansion House, and much time was devoted to the business. The organization in Lancashire was more extensive and ramified. The central administration consisted of three bodies, two of which were subordinate:—1. The General Committee, holding its sittings at Manchester, the centre of the cotton districts. It was composed of the high sheriffs and lords-lieutenants of the counties, and the bishops of the dioceses within which the cotton districts were situate, the mayors of all the municipal boroughs, some of the principal noblemen and gentry, several members of Parliament, and many wealthy and influential merchants, bankers, and employers of labour. This General Committee was presided over by the Mayor of Manchester. 2. An Executive Committee, limited to twenty-four in number, appointed by the General Committee for the distribution of its funds, and for all subordinate administration. In the constitution of this Executive Committee the utmost care was taken to secure a fair representation, both of the landed proprietors, capitalists, and employers of labour, and also such a combination from the several political and religious elements of society, together with the commercial experience and intelligence of each district, as might secure a prudent and impartial administration of the contributions of the public.

The Central Executive Committee, which held weekly meetings, was presided over by the Earl of Derby, who, by his wise counsels, his practical experience, and his great personal influence, contributed greatly to the efficiency and success of its operations. Its meetings were attended by many persons of high distinction and ability, as Lord Egerton of Tatton, Mr. Wilson Patten, Sir Kay Shuttleworth, Lord Edward Howard, Mr. E. Ashworth, and others well known in Parliamentary or commercial life. Representing a great variety of classes and opinions, but actuated on this occasion by one aim and feeling, their proceedings were governed by a spirit of harmonious co-operation, and were marked with sound judgment and discretion. Subordinate to these two



bodies was a Canvassing and Collecting Committee, whose exertions, especially in Manchester, produced large additions to the central fund. This was the central organization. The immediate business of administering the relief was discharged by a great number of local committees, more than a hundred altogether, who apportioned and distributed, according to a regulated system, the sums allotted to each place by the central body. The whole formed a vast, but well-organized machinery, distributing through a thousand rills the vast stream of the public bounty, acting upon uniform and well-adjusted rules, and conducted, through the disinterested zeal of individuals, at a very small cost. It was stated at one of the meetings of the Executive Committee that the expense of administering a million of money had not exceeded the rate of three-fourths per cent. Respecting the application of the subscribed funds to objects collateral to the immediate purpose for which they were bestowed, much consideration was given by the Central Committees. One of these purposes, which received their sanction, and met with general approval, was the payment of the school fees of the children of those who were receiving relief. Another question, which caused more difference of opinion, was the appropriation of a portion of the funds to assist in enabling families to emigrate. Several applications were made both to the London and the Lancashire Committees by emigration societies, and parties connected with the colonies, for grants from their funds as contributions to emigration expenses, and the subject underwent repeated discussion. It was resolved by the Manchester Executive Committee to sanction the scheme to a limited extent only, by making small capitation grants towards the outfit of emigrants; but a more extended application of their funds to a purpose not contemplated by the donors, was not considered expedient. To a considerable extent, however, the pressure on the labour market of Lancashire was relieved by means of emigration,—several large parties from the distressed districts having been assisted to passages to the Australian colonies, to Canada, and other parts. This, however, was done chiefly through the agency of societies in England having special funds for that purpose, or by the aid of means furnished by the colonies themselves. The voluntary migration of families to other districts of the kingdom in which labour was in demand contributed likewise, as time went on, to lighten the load of pauperism in the cotton districts.

We have now to inquire what legal means were adopted, in conjunction with voluntary efforts, to stem the tide of destitution, and what assistance the wisdom of Parliament was able to afford in meeting this great emergency. Spontaneous benevolence in such a case effected a great deal; but it could not do all; and it was necessary to call in the aid of compulsory taxation, and to put in force the extraordinary resources of that powerful engine,—the Poor-rate. The preceding volume of this work gave an



account of what was done in the last session of Parliament by the "Union Rate in Aid Act," to extend the area of rating, so as to relieve the burden of the distressed parishes by contributions from adjoining districts, and also to enable the raising of loans on mortgage of the rates for the purpose of affording employment. That measure, which was limited in its operation to the 1st of March, 1863, was found upon the whole to work well. Soon after the reassembling of Parliament, Mr. Villiers, the President of the Poor-law Board, moved for leave to bring in a new Bill to extend the provisions of the Act for a further period. In so doing, he observed, that the measure had been introduced under an idea that adequate means were not provided under the Poor-law to relieve the distress which was likely to occur in the cotton districts, and its object was to mitigate the pressure upon the rates (which, if it became extreme, would aggravate the distress) by devising some means to enable the guardians to relieve the rate-payers. This was done by authorizing an extension of the area of liability to a rate in aid, and the borrowing of money upon the security of the rates. The Act was viewed by Boards of Guardians as a valuable aid, which ought to be continued. If it had not been put in operation to the extent it might have been, it was owing to the munificent voluntary contributions received from all parts of the empire. He stated the amount which had been borrowed hitherto under the Act. For expenditure which occurred before Michaelmas and after Midsummer, Preston had borrowed 3890*l.*, and Blackburn 3517*l.*, making a total of 7407*l.* For the expenditure during the Christmas quarter Ashton borrowed 8037*l.*; Blackburn, 10,000*l.*; Glossop, 1200*l.*; Haslingden, 3063*l.*; Preston, 7316*l.*; Rochdale, 5887*l.*; Todmorden, 1186*l.*; total, 36,689*l.* Added to that, there was charged to the counties, for Ashton, Glossop, Haslingden, and Preston, 19,579*l.*,—making a total borrowed and charged on counties of 63,675*l.* Mr. Villiers added, that there was no Union in Lancashire or Cheshire which desired that the Act should not be renewed. He had not the least reason to suppose that the powers given by the Act would be abused, and he had the authority of Mr. Farnall for saying that there was a most anxious desire on the part of the Boards of Guardians and of the Relief Committees to find independent employment for the operatives. He proposed to continue the Act till Lady-day, 1864.

Colonel W. PATTEN said he had received suggestions from several of the outlying Unions to call attention to one or two alterations which were necessary to be made in the Bill. He showed how in some districts the severity of the rate had pressed upon the small tradesmen, shopkeepers, and cottage-holders. After all, the Act of last year must have proved of little avail had it not been for the magnificent contributions of the public, which had flowed in from all quarters. When he stated that those contributions amounted to 1,400,000*l.*, he was, he believed, within

the mark; the sum spent in the relief of the distress by the Local Committees being 658,000*l.*, and the amount furnished by the Poor-law Guardians 250,000*l.*, during the last six months. Colonel Patten proceeded to state his views as to the future, observing that it was the opinion of some that the distress had not yet reached its full extent; and he was bound to say that, from all he could make out, it was possible that they would still have to rely upon the benevolence of the public.

LORD STANLEY suggested that the Act should be continued for six months only. No man could undertake to say what would be the state of things in next February, and it was wise for the House to commit itself as little as possible.

MR. COBDEN, with reference to the suggestion of Lord Stanley, observed that, assuming the present state of things to continue, the condition of the cotton districts would be infinitely more serious and difficult next winter than in the present. He gave details of the large amount of the voluntary contributions which had come from the districts themselves, besides poor-rates, loss of wages, depreciation of fixed capital, and other losses, making an aggregate of 12,445,000*l.* He recommended the adoption of Lord Stanley's suggestion to continue the Act for six months, and that the House should come to the question again at Midsummer.

The Bill having been brought in, and time afforded for a consideration of suggestions made at the time of its introduction, Mr. Villiers stated, on moving the second reading on the 19th of February, that he was bound to admit that the opinions expressed in several communications received by him in the interval were in favour of such a limitation of the Bill as would admit of another discussion of it this Session. He was therefore prepared to assent to limiting the term of the Bill to the next two quarters. Another suggestion was that the period for the repayment of the loans contracted under the Act should be extended and spread over a greater number of years. He was not indisposed to accede to this suggestion, and proposed that the annual instalments should be one-fourteenth instead of one-seventh; that was, to extend the period of repayment from seven to fourteen years.

LORD E. HOWARD considered that Mr. Villiers had made a very grateful concession in extending the repayment of loans to fourteen years. Government, he said, would confer a great benefit on the manufacturing districts by lending money.

MR. COBDEN said he was not last year enamoured with a rate in aid. He wished for greater facilities to be given to Boards of Guardians for borrowing money. The principle of a rate in aid, however, was inherent in the Poor-law. But there should be a liberal borrowing power, instead of which the Legislature imposed restrictions and impediments in the way of borrowing money.

After a good deal of diversity of opinion had been expressed,

the second reading of the Bill was agreed to, and it passed through both Houses without impediment.

On the expiration of the Bill at the end of June it was again renewed for a further term, on the proposition of Mr. Villiers. On this occasion the plan of applying the rates to purposes of emigration was much urged by certain members.

Mr. CHILDERS moved a Resolution, "that it is desirable that any moneys raised under the Bill by way of loan on the security of the rates in the distressed manufacturing districts should be applicable to assist emigration to such colonies as may be willing to co-operate in carrying it out." It was not his intention, he said, to obstruct the course taken by the Government—a course in itself good, but other measures might be employed which, while they would relieve the distress in the cotton districts, would benefit the empire. He combated the ordinary objections urged against all schemes of emigration of our operatives founded upon climate, the chance of employment in certain of our colonies, the expense, the alleged unwillingness of the colonies to receive emigrants, and the disinclination of the operatives themselves to emigrate.

The Resolution was seconded by Mr. Marsh, and supported by Mr. Newdegate and Mr. Adderley. It was opposed by Mr. Cobden and by Colonel Patten, who remarked that the motion proposed that the House should express an opinion that the money should be applied to assist emigration. The guardians, having given security for the payment of the money, might apply it in any way they thought best, and the House would go too far if it undertook to recommend the guardians to apply the money to emigration. He had no hostility to emigration as a measure of relief, but to the guardians being told how the money was to be spent.

Mr. VILLIERS also, on the part of the Government, opposed the Resolution. The guardians had power now to apply their funds to the encouragement of emigration. Parliament should not fetter their discretion, and tell them how they should apply the money. Emigration was going on rapidly now, at the rate of 20,000 or 24,000 a month, the greater proportion of the emigrants proceeding to the United States. Were the guardians to offer a premium for emigration to the colonies? There was a want of labour in the agricultural districts in this country.

After some further discussion, the Resolution was withdrawn, and the Bill was passed through both Houses without difficulty.

A new plan for assisting the distressed operatives, and relieving the burdens of the rate-payers, was devised in the early part of this summer, which, having received the sanction of the Legislature, was put into execution with satisfactory results. The idea of this plan, it is believed, originated in the distressed districts, and was brought by some of the local authorities to the attention of the Government. The Corporations of Blackburn and Stockport presented memorials, praying that steps might be taken to

authorize loans to be issued by the Government, at a low rate of interest, to the local authorities in the cotton manufacturing districts, for the purpose of enabling them to employ the operatives who were thrown out of work in executing improvements required in the various towns, such as drainage, formation of roads, water-works, and similar undertakings. The idea appearing good and feasible, a Special Commissioner was appointed by the Government to visit and inspect the districts, and to report upon the expediency of the scheme, and the capability of the towns to afford employment in public works. Mr. Rawlinson, the gentleman appointed for this purpose, having visited the localities in question, and conferred with the local authorities, reported that there were many works of a suitable kind which might be beneficially undertaken, and for which the labour of the operatives might be turned to good account. He further expressed his opinion that the men would almost all be willing to accept this kind of labour, and that after a few weeks' practice they would be likely to earn enough to take their families off the relief lists. Fortified by these recommendations, the Government determined to submit to the sanction of Parliament a Bill for legalizing the advance of a loan for public works to the manufacturing districts. The President of the Poor-law Board moved the second reading of this measure in the House of Commons on the 18th of June, explaining the grounds upon which it was founded, and the conditions under which the money would be applied. The Bill, he said, was the natural and not unexpected result of an inquiry instituted by the Government, with a view to ascertain whether there was not something in the condition of the towns and populous places in Lancashire and Cheshire, which would afford a resource for the employment of the persons who had been so long deprived of their occupation as operatives. The object was not to establish works like those devised by the Poor-law authorities by way of discipline or to prevent imposture, but to provide labour for works of public utility. The reports of the engineer (extracts of which he read) stated the results of his inquiry, and the nature of the works upon which the distressed operatives might be fully employed, as unskilled as well as skilled labourers, the works being such as would be highly advantageous to the localities, and, in some instances, objects of positive necessity. The matter, therefore, deserved the serious attention of the House. But there were obstacles to the undertaking of these works, financial and legal. It was necessary to raise the money by loans on easy terms, and, looking to the purposes for which advances had been made by the Exchequer Loan Commissioners at three-and-a-half per cent., it was not unreasonable to expect that such advances might be made in this case to deal with a great evil. This would meet the financial obstacle. With regard to the legal difficulties, it was impossible for the different districts to obtain private Acts, and the Bill contained provisions (which he explained) to obviate the



legal difficulties. The Bill was not offered as a panacea for all the evils arising from the existing state of things; it was intended to mitigate the sufferings of the factory operatives, and as a means of amelioration in conjunction with emigration and other measures of relief.

The scheme was, on the whole, favourably received by the House, the objections which were made to it being chiefly on the ground that factory operatives would be unfitted, by their physical constitution and previous habits, to undergo severe labour and exposure to the weather out of doors. The alternative suggested by some members, and especially by Mr. Ferrand, was, instead of keeping these distressed people at home another winter in idleness and want, to remove them to the colonies as emigrants at the public expense. This suggestion of emigration on a large scale was forcibly combated by Mr. Cobden. He said, "When you talk of the cotton population emigrating, are you going to improve their position? If you were dealing with a Dorsetshire labourer, whose normal state is 9s. or 10s. a week wages, whose business lies in farming operations, you could not do him a greater favour than to transfer him to the wilds of Australia or America. There his business is in great demand, and his position is instantly improved twofold by the change. But if you transfer cotton-spinners and weavers to Australia or Canada, do you find that there is demand there for the labour for which they are qualified? There are no cotton-mills, no power-loom factories there—and they cannot reap, or mow, or thrash, or tend cattle, and the consequence is that they would sink to be about the most helpless people in the world. A man may benefit by transferring his labour from one field to another, but few ever benefit by changing their business after they have arrived at years of maturity. All wholesale systems of emigration have proved not only abortive and disastrous, but sometimes most cruel. You had a wholesale system of emigration from Ireland in 1847, and what happened? Several thousands of the poor people died on the passage, and upwards of 10,000 died after they had landed in Canada and America. A cry came over the Atlantic, and both the United States and Canada passed laws to prevent emigrants coming over in that destitute state. Have you made provision for these people on landing? My experience is that almost every body wants every body else to emigrate. A public meeting might be got up at Rochdale in favour of emigration; but the idea with each would be that every one else should emigrate, that the ranks of labour might be thinned, and thus it would be better for the remainder. Be assured, as a rule, where you have this wholesale system of emigration got up by public bodies in an emergency, it usually turns out disastrously for the emigrants themselves. Besides, look to the expense. It is not enough to send people away and disembark them upon the shores of America. They must have capital. Even if you send them where land is cheap, you must

supply them with tools, you must give them seed; otherwise you send them to perish. But a system of emigration on a great scale involves a sum of money which no one has calculated. I do not say it is a bad thing for people to emigrate. On the contrary, if they can better themselves by emigrating, I would advise them to do it. But emigration is an expedient not worth a moment's consideration unless you come down with your calculations, and say how much it is to cost when you have landed the people on the other side of the Atlantic."

Sir GEORGE GREY, while vindicating the Bill against some objections, expressed his concurrence on the subject of emigration with Mr. Cobden. The Government, he said, would not interpose the slightest obstacle to the reception of emigrants by the colonies, but any attempt on the part of the Executive at home to force emigration, would, in his opinion, be a great evil to the emigrants themselves.

The Bill was read a second time, and a few days later the Chancellor of the Exchequer moved a Resolution that the Commissioners of Her Majesty's Treasury be authorized to issue, out of the Consolidated Fund, an amount not exceeding 1,200,000*l.*, upon security of local rates, for facilitating the execution of public works in certain manufacturing districts. He observed that, according to the best information Mr. Villiers could obtain, if the distress in Lancashire should continue, and the prospects for the winter, in respect to the supply of cotton, should not improve, the amount of money required for this purpose might rise as high as 2,000,000*l.*; but, as Parliament would then be sitting, there was no necessity to vote more than was actually required. The Government had ample power of replenishing the Consolidated Fund, if necessary.

The Resolution was agreed to.

The Public Works Act was speedily passed and put into execution. At Blackburn, soon afterwards, several hundreds of factory operatives were put to labour upon public improvements. They set to work steadily, peaceably, and well, earning at measured work various rates of wages, but none of them less than twelve shillings per week. At Bolton, and other places, large bodies of ex-cotton operatives were employed in digging reservoirs, reclaiming land, and other useful works. The experiment appeared to answer well, producing a beneficial effect on the health and spirits of the men thus transferred from idleness to industry, from pauperism to independence, and from moping indoors to wholesome activity in the open air. For a time, indeed, the benefits of the new Act were somewhat impeded by technical difficulties and by legal expenses in procuring the loans, but the Government having interposed to facilitate its operation, the sphere of employment was extended, and it was estimated by Mr. Rawlinson that by the beginning of 1864, provided the weather was favourable, there would be the means of employing upon useful public works from

20,000 to 30,000 operatives. By means of the new channel thus opened, combined with the other means of depletion which have been referred to, and aided to a considerable extent by a revival of manufacturing industry as the year advanced, the burden of surplus labour in the cotton districts became materially lightened, as was proved by the statistical returns.

With respect to the great question, on which the future manufacturing prospects of the country depended, as to the probable supplies of the raw material of industry in the next and following years, much speculative calculation was advanced, and many discussions, both in and out of Parliament, took place. According to one of these estimates, that of Mr. John Cheetham, an eminent manufacturer of Staleybridge, it was calculated that, assuming the continuance of the American war throughout 1864, the probable imports of that year might be taken at 2,445,000 bales, an amount rather more than equal to a consumption of four days per week, based upon the data of 1860. Another person of great experience in this subject, Mr. E. Ashworth, took even a more sanguine view of the probable supply, expressing a confident belief that after the first three months of 1864 there would be sufficient cotton to afford from four-and-a-half to five days' work per week throughout the district. The whole subject underwent, shortly before the end of the Session, an elaborate discussion in the House of Commons, the debate turning principally upon the capabilities of India to supply the deficit of American importations, and the means by which the production from the former country might be encouraged and increased.

Mr. CAIRD opened the discussion in a speech evidencing much research, and entered fully into the statistics of the question. Hitherto, he observed, America and India had been the chief sources of supply of cotton to this country. For thirty years India had kept her ground, but within the last few years the supply from there had been increasing, and last year it had been very large, showing how the increase of demand and of price operated upon the supply. He noticed various other sources of supply; but upon America and India, he said, we must depend for three-fourths of our consumption of cotton, that from the former country being contingent upon the continuance or cessation of the war. He enumerated the advantages of the Southern States of America for the growth of cotton of the best quality, particularly in the cheapness of slave labour and the quantity of new land for an exhausting crop. Taking a view of the various sources of supply in America, and calculating that the war was not likely to last much longer, he concluded that, with the cotton we should receive from India, there was no occasion for serious alarm. He then reviewed the policy pursued by the officials of the India Government with regard to the cultivation of cotton, complaining of their practical discouragement of it, and of the absence of any suggestion by the Secretary of State for India for



its development. He adverted to the immense tracts adapted to the growth of cotton in India, and moved for a Select Committee to inquire whether any further measures could be taken, within the legitimate functions of the Indian Government, for increasing the supply of cotton from that country.

The motion elicited much variety of opinion. It was supported by Mr. Bazley, Mr. H. Seymour, and other members, and opposed by Mr. Smollett, who, speaking from local experience, contradicted some of the current notions respecting the state of cotton cultivation in India, and stated his opinion, that, except the settlement of land, there was nothing for a Committee to inquire into. Mr. Cobden and Mr. Bright took up the question of Government encouragement to the cultivation of cotton, in which they considered that there had been too much backwardness.

Mr. COBDEN thought that, under the peculiar and exceptional circumstances in which we were placed in relation to India, the Government, as the chief proprietor, would be justified, through their collectors, in the first instance, in instructing the poor ryots, offering prizes, and otherwise encouraging them to improve their cultivation of cotton; and it was natural for the manufacturers of Manchester to expect that the Government would put some strain upon their agents in this direction. On the contrary, he complained that nothing had been done two years ago to inform the agricultural population of India, but obstacles had been thrown in their way. He did not want the ryots of India to be sacrificed to the cotton-spinners of Lancashire, but to bring the interests of both into harmony.

Mr. BRIGHT said, though it was a common phrase that demand created supply, there were obstacles which in some cases overthrew the rule. There were the neglect and oppression and the violation of law during the whole period of our Government of India. What was wanted there was a revolution in the ideas and in the practice of the Government, which would produce more life and activity in India. But this must come in the course of years. Meanwhile, public works should be prosecuted, and a remedy applied to the deficiency of common roads. There was, he said, a dissatisfaction felt in Lancashire as to the manner in which deputations on the subject of the supply of cotton from India were treated at the India-office.

Sir C. WOOD fully admitted the importance of the subject, and that it was to India we must look to obtain our great supply of cotton. The present was the first time that a stimulus had been given to the production of Indian cotton. Nothing but this would bring about such a result, and he believed that an adequate demand and a sufficient price would be met by an adequate supply. The motion was for a Committee to inquire into something the Government might do which they had not done; but it was not suggested what that something was. The Government had done what it was their province to do, reduce duties, improve com-



munications, and give facilities to the cultivation of cotton, the encouragement of which would be accomplished more surely by an increased price than by the offer of prizes. After defending himself against the charge of interfering with and discouraging the cultivation of cotton in India, insisting that he had shown a readiness to aid it as far as a Government could go, declining only those functions which did not properly belong to the Executive, he again asked, what he could have done that he had not done to promote the growth of cotton in India? Government pressure, he showed by example, would do more harm than good; the extension of the area of cotton cultivation had taken place under a purely voluntary system. The common principles applicable to all other people in the world must be applied to the people of India, and the ryots must be allowed to grow the crops that paid them best.

Mr. CRAWFORD concurred in the views expressed by Sir C. Wood. The Government had been accused of not having stimulated the cultivation of cotton in India, but it had not been shown in what way the cultivation could be stimulated by the Government.

Mr. Caird's motion was negatived.

In connexion with the account which has now been given of the condition of our cotton manufactures during this unprecedented crisis, it is material to state the effect produced upon the prices of the raw material, which underwent extraordinary changes, and from the consequences thereby induced, threatened serious derangement to our commercial and monetary system. In December, 1854, the price of middling New Orleans cotton in the Liverpool market was quoted at 5*d.* per lb. In the same month of 1858 it was 7*d.*, in 1861 11 $\frac{3}{4}$ *d.*, in 1862 24 $\frac{1}{2}$ *d.*, in 1863 27 $\frac{3}{4}$ *d.* In the months of September and October in the latter year, the Liverpool market was in a highly excited state. Speculation was carried on to an excessive degree, the operators being, to a great extent, persons in no way connected with the trade or manufacture, but allured by the prospect of realizing great profits from the anticipated rise of prices. On the 17th of October, when extreme excitement prevailed, the price of middling New Orleans rose as high as 28 $\frac{3}{4}$ *d.* per lb., and on the 24th to 29 $\frac{1}{2}$ *d.*, being the highest figure which it reached. Very large gains were realized by the successful speculators in these transactions. Some reaction afterwards took place, and on the 26th December, the same article was quoted at 27*d.*

Meanwhile, the revolution created in the market by the transfer of our purchases from America to the new countries from which we were now compelled to derive our stores of raw cotton at a great enhancement of price, was producing a new and potent action on the money market at home. So long as our dealings for this article were with the (then) United States, our purchases from them were balanced by the exports of our own manufactures to that country, and there was little occasion for the transport of bullion to settle the accounts between us. But when we were obliged

to resort to new sources of supply for the raw material, and to make our purchases from countries with which our commercial exchanges had hitherto been comparatively small, a very different result took place. The principal quarters to which we now had to look—such as India, Egypt, and Turkey—were countries which we could not expect to take payment of our purchases in kind. Bullion consequently became the necessary medium of exchange, and the gold or silver which we sent out, instead of coming back to us, as in dealings with more commercially advanced countries, was retained where it was sent, being hoarded or locked up, as is usual in communities in which trade and civilization are in an imperfect state of development. The consequence was, that our large purchases of cotton—which, though less in quantity, were immensely enhanced in price—occasioned an export of the precious metals from this country, which was evidenced in a very marked degree in the latter part of this year by a severe drain upon the bullion of the Bank of England.

So forcible, indeed, was the action of this cause upon the Bank coffers, that the stock of bullion, which in September had been as high as 15,494,219*l.*, was reduced by the 2nd of December to 13,048,475*l.* The directors of that establishment, however, with the prudent foresight which has of late years marked their operations, applied that remedy which, when promptly used, seldom fails to counteract the tendency to an undue outflow of bullion, an augmentation of the rate of discount. In the beginning of November the rate was raised to 5 per cent., and a few days afterwards to 6. On the 2nd of December, in the face of a rapid decline of bullion, it was again raised to 7, and further advanced to 8 on the following day. The consequences were such as the policy of the directors was designed to effect. The tide began to turn—the export of the precious metals diminished. On the 16th of December, the stock of bullion showed an increase, and on the 24th the terms of discount were again lowered to 7 per cent., at which rate they continued to the end of the year; the amount of bullion at the date of the latest return, December 29th, being 14,362,605*l.*

By this prudent course on the part of the Bank Directors—which not only brought about an improved state of the foreign exchanges, but also imposed a check upon the tendency to speculative adventure then rife in the country—the apprehensions which were, at one time, seriously felt, of a crisis in the money market, were relieved, and the commercial derangement, which might otherwise have been superadded to the calamity of the cotton famine, was prevented. The prospects of the cotton trade for the ensuing year continue still extremely uncertain; and the dangers which threatened the prosperity of the country in this direction are not yet dispelled from the horizon. The results of the future, indeed, depend upon a variety of contingencies quite beyond our control, and baffle all sagacity to predict them. Still,

there is much consolation in reflecting that the reality of the disaster has proved during the past two years much less serious than the anticipation—that if there has been much suffering, there have been also no inconsiderable compensations, and that, although the calamity which has befallen a province has been severe, the strength and stamina of the nation have been unimpaired. With these grounds of encouragement in the past, to despond for the future would be alike thankless and unreasonable.

## CHAPTER VI.

The case of the City of London Police—Complaints of its inefficiency on the entry of the Prince of Wales and Princess Alexandra into London—Bill introduced by Sir George Grey to amalgamate it with the Metropolitan Police—Vigorous opposition of the Corporation to this measure—Appeal to the other municipal bodies to resist the invasion of corporate privileges—Debates in Parliament—Objection taken that the measure should have been introduced as a Private Bill—Being referred to the examiners it is so decided, and the Bill is dropped—The Exhibition Building of 1862—Votes proposed by the Government for purchase of the structure and site—On the proposition of Lord Palmerston a vote for the latter is agreed to, but the purchase of the building is warmly opposed—An excited debate terminates in the rejection of the vote by a large majority—Fortification of the arsenals and dockyards—Objections taken to the outlay for this purpose by Sir F. Smith, Mr. Cobden, Mr. B. Osborne, and other members—Vindication of the measure by Lord Clarence Paget and Lord Palmerston—The required sum voted—Affairs of Ireland—Agricultural distress in that country—Alleged disproportion of taxation—Motion of Colonel Dunne for inquiry resisted by the Chancellor of the Exchequer and negatived—Question of land tenure and relation of landlord and tenant—Motion of Mr. Maguire for a Royal Commission—Opposed on the part of the Government by Lord Palmerston and rejected by a decisive majority—Salmon Fisheries (Ireland) Bill—Affairs of British India—Satisfactory advance of that country in commerce, revenue, and general prosperity—Remarkable improvement in the public finances—The Budget for India laid before the House of Commons by Sir Charles Wood—Highly favourable account of the financial and political condition of the country—Debate on the sale of waste lands and redemption of the land tax—Policy of the Government vindicated by the Minister—Law reform—Measures of the Session—Scheme of the Lord Chancellor for a comprehensive revision and digest of Common and Statute Law—Bill passed for relieving the Statute Book from a great number of obsolete Acts—Further reforms postponed—End of the Session—Parliament prorogued by Commission on the 28th of July—The Royal Speech delivered by the Lord Chancellor—Character and results of the Session—General review of the events of the year—Its commercial features—Changes in the money market—Large amount of speculative enterprise—Trade returns—Revenue—Conclusion.

THE most animated debates in Parliament are not always those which involve issues of great national importance. In most Sessions questions are found to arise which, although they have merely a local, or it may be only a personal, bearing, are discussed as warmly, and excite as keen party feelings, as measures involving the widest interests of public policy. Such was the case in the present year in regard to two propositions of the Government, which met with a

vigorous and, in the end, a successful resistance from their opponents in the House of Commons. The first was an attempt made by Sir George Grey, the Secretary for the Home Department, to set aside the jurisdiction, in an important branch of their administration, of that ancient and potent municipality the Corporation of London. Exempted originally from the Act by which the other municipal bodies of the kingdom were reformed and regulated in the reign of William IV., the City of London, though visited by a Commission of Inquiry, and made the subject of various attempts at legislation, had hitherto successfully withstood the attempts of Parliament to control its authority or regulate its finances; and it seemed as if repeated failures had made Ministers cautious of venturing on any further interference with the civic privileges. There was, however, one branch of municipal jurisdiction which had been peculiarly open to the charge of inefficiency and inconvenience. The City, comprising within its limits a very inconsiderable portion of the metropolitan area, maintained a separate police establishment, having a distinct organization, and no unity of action with the much greater force under the Police Commissioners of the Metropolis. The embarrassment arising from this circumstance, the increased expense and diminished efficiency of the double system, the facilities of escape which it afforded to criminals, and the actual danger which in any critical emergency might arise from the want of combination between the two forces, had been a matter of frequent animadversion and complaint, both in and out of Parliament. An occasion now arose which, in the opinion of many persons, afforded strong confirmation to these views, and made the application of some remedy imperative. At the entry of the Princess of Wales into the metropolis, of which a full account is given in another part of this work, much confusion and difficulty arose in conducting the royal *cortège* from London-bridge towards Temple-bar from the great pressure of the crowd, which impeded the advance of the procession, getting between and almost under the feet of the horses, clinging about the royal carriage, and occasioning considerable alarm to the attendants on the royal party. This disorder, it was alleged, was entirely due to insufficiency of force, or want of proper organization on the part of the City police, a charge which received colour from the fact that, as soon as the *cortège* had cleared Temple-bar, no further difficulty or interruption was experienced, the enormous crowd was kept under perfect control, and for the remainder of their progress the royal party were in smooth water. These accusations were, however, warmly repelled by the City authorities and their partisans; the alleged incompetency of their police was stoutly denied, and the blame of the confusion, which beyond all controversy had occurred, was thrown upon those by whom the arrangements of the procession had been, it was said, injudiciously devised. The subject excited a warm controversy in the public press—the City authorities loudly vindicated their own conduct, and called upon the other



municipal bodies of the kingdom to stand by them and make common cause against the calumnies with which they were assailed, and the interference with which their privileges were threatened. On the other hand, there was a strong demonstration of opinion adverse to the City, and pressing questions were put to the Ministers in Parliament as to their intention of doing something for the removing of a public inconvenience and scandal. A few days after the occurrence of the scene above described, a conversation took place in the House of Lords on the subject, originating with Lord Dalhousie, who asked whether the Government intended to take any steps to consolidate the Metropolitan and City police; the noble lord particularly dwelt on the shortcomings of the City police on the occasion of the recent royal procession, and urged the propriety of amalgamating the City and Metropolitan police services as the only means of preventing the recurrence of such scenes.

Lord GRANVILLE stated that the Home Secretary had written to the Lord Mayor in reference to the matter, but no answer had yet been received. Means had been employed, however, to gain the required information, but until it was obtained it was impossible to foretell what course the Government would pursue.

The Duke of CAMBRIDGE explained the steps he had taken to induce the City authorities to accept a military force for preserving order on the occasion of the entry of the Princess Alexandra into the City. He contended that the Metropolitan and City forces should be amalgamated, and under the control of one instead of two authorities. Having spoken very highly of the services of the Metropolitan force, he concluded by alluding to the employment of Volunteers in keeping order in a crowd, and deprecated any such employment.

Lord TAUNTON (who had been one of the Royal Commissioners of Inquiry, in 1838, into the municipal affairs of the Corporation) was strongly in favour of the amalgamation of the two forces, and hoped that the Government would introduce a Bill for that purpose before the end of the Session.

Lord OVERSTONE considered that the answer of Lord Granville was very unsatisfactory, and hoped that the strong feeling of both Houses of Parliament would stir up the moral courage of the Government to interfere with the City authorities on the subject.

In the House of Commons similar opinions were expressed by several members, among whom Sir De Lacy Evans took a prominent part, and much urgency was used to induce the Government to propose a legislative remedy. Under these circumstances the Home Secretary was induced to take up the subject, and on the 21st of April moved for leave to bring in a Bill for the amalgamation of the City of London police with the Metropolitan police. He observed that this was not a new question, and that the result of inquiries had shown a remarkable unanimity of opinion. The measure he was about to propose was not founded upon what had occurred on the 7th of March, though the mismanagement or want

of management upon that occasion proved that the opinions he had referred to were not theoretical, but were confirmed by facts. He read extracts from the Reports of the Commissioners of Inquiry into the Municipal Corporations, and of the Committee of that House, into the operation of the Metropolitan police in 1838, both concurring in the opinion that the police of the metropolis should be placed under one head, subject to the authority of the Secretary of State. He read likewise an extract from the Report of the Commissioners of Inquiry into the Corporation of the City of London in 1854, who came to a similar conclusion in favour of a combined system; all these authorities feeling that the City of London now formed only a small portion of that great area which constituted the metropolis. Adverting to the powers of resistance possessed by the Corporation of London when an attempt was made upon its supposed rights, he expressed a hope that the House would not be influenced thereby, but would exercise its own judgment, and consider whether the measure would conduce to the general interests of the public.

The measure was warmly opposed at this preliminary stage by the representatives of the Corporation in the House, among whom the Lord Mayor and Mr. Alderman Sidney were most prominent. The former declared that a more unconstitutional proposition than this had never been introduced into the House; it would place, he said, 10,000 armed men under the control of the Secretary of State. The police was essentially a local force, and he maintained that the City of London police was in every respect more efficient than the Metropolitan. Believing this, the Corporation would resist this attack upon their most cherished rights of self-government.

Alderman SIDNEY protested against a standing army of police in the kingdom under the authority of a Secretary of State. The City cost the country nothing for its police, and he wanted to know what was the reason of this great alteration, for which Sir G. Grey had assigned only the diminutive area of the City, the population of which was not, however, to be measured by the number of its actual residents. The Bill would raise a question in every city and borough in the country, which would perceive that it was one that affected their own interests. The measure would be flagrantly inconsistent unless it were applied to Manchester, and, if it was applied, it would be repugnant to the principle of local self-government.

The Corporation did not want some efficient supporters in the debate, independently of its own members. Mr. Crawford, and the other representatives of the City, declared their intention of opposing the Bill. Sir George Bowyer, Mr. Hibbert, and Sir H. Stracey objected to it, as founded on the obnoxious principle of centralization, and inimical to local self-government. The City found also an able champion in Mr. Bovill, who observed that the matter did not affect simply the City of London; the introduction of the proposed system would be imme-

diately applied throughout the country. There was no instance in which the City police had failed; they discharged their duties most efficiently. There was no paramount necessity for the measure, and, as to the expense, the City paid for its own police, and the citizens did not complain of the expense. The 7th of March was an extraordinary occasion. The proper step would have been to employ 400 Life Guards; but they could not be furnished. No blame, however, attached to the City of London.

On the other hand, Lord Alfred Paget, who, as one of the Royal Equerries, had been in close attendance on the carriage of the Prince and Princess of Wales on the occasion, delivered a temperate and unvarnished account of the confusion which had occurred, fully substantiating the fact, whatever the cause of it might be, of a deficiency of strength and organization on the part of the City police, which had well-nigh led to serious consequences, and expressing distinctly his own opinion that an amalgamation of the two constabularies was required.

Mr. Ayrton and Mr. Sergeant Pigott treated the question as one not really affecting the great principle of municipal self-government or the rights of other corporations; and after a warm discussion leave was given to bring in the Bill.

No sooner was it introduced, however, than it encountered a strenuous opposition. The City, relying on the many powerful organs and influences at its command, threw down the gauntlet at once to the Government, and sounded the alarm of invaded privileges in every borough of the kingdom. The controversy was described as involving the dearest and most valued rights and franchises, which not only the municipal bodies themselves, but the great communities which they represented, and the public generally, for whose benefit they were held in trust, were concerned to uphold. The appeal, though somewhat mock-heroic and inflated in its tone, was not ineffectual. The municipal bodies in most parts of the kingdom responded to the call, and their representatives in Parliament were instructed, as they valued the favour of their constituents, to support the common cause. It gradually became evident that the Ministers had to deal with an active and determined foe, whose privileges, long maintained and many times ineffectually threatened, it would be no easy task to override. It began to be whispered among the supporters of the Government that it had been wiser in the Secretary of State to have left the City alone. The balance of opinion was already inclining to their side, when a technical objection to the Ministerial Bill was started, which appeared to offer no unwelcome loophole for retreat. It was suggested that the Bill, though brought in as an ordinary public measure, fell technically within the definition of a private Bill, and in that case, there having been a non-compliance with the Standing Orders as to notices and other matters, could not be proceeded with. This objection the Government had no alternative but to refer, as in all similar cases, to the decision of



the proper officers of the House. Those authorities having investigated the matter, duly reported that there was a failure of compliance with the Standing Orders which could not be dispensed with, and the Bill, as a matter of course, was laid aside. Thus terminated a controversy which had excited no small amount of agitation and strife, and which, in the opinion of many, it would have cost the Government a severer struggle than all their Parliamentary strength would have sufficed to carry to a successful issue. By the City the result was hailed as a signal triumph.

The other question, involving a matter still more narrow and ephemeral in character, but which produced one of the warmest debates that took place during the present Session, related to the proposed acquisition by the Government of the building constructed for the International Exhibition of 1862 at Kensington, and the site which it occupied.

Beneath this question, in fact, lay another, which had, on more than one occasion, been mooted in the House of Commons in past Sessions, and on which the majority of the House had manifested a decidedly adverse leaning, namely, the transfer of the national collections of paintings from their present depositories in Trafalgar-square and elsewhere to Kensington. The International Exhibition building, whatever might be its other defects, was generally admitted to contain one of the best constructed picture-galleries in existence, and, in the opinion of many, would have afforded a very eligible receptacle for the art treasures of the nation, or a part of them. On the other hand, a large part of the public were resolutely opposed to making a point so distant from the centre of the metropolis as Kensington the site of a popular exhibition; while others, as a matter of taste, entertained the strongest objection to retaining for permanent use a building which, however well adapted to the special and temporary object for which it was built, was loudly condemned by the public voice for its architectural demerits. As soon, therefore, as it became known that the Government entertained the design of purchasing, on behalf of the nation, the Exhibition building and site, a determined hostility was manifested in many quarters to the proposal. The question, however, was twofold. It might be wise as a matter of prudence to secure for the public a piece of ground of large actual and probably increasing value, provided the purchase could be made on favourable terms. But whether the building as it stood, or as it might be adapted by alteration, formed a desirable acquisition, was another and a different question.

Lord Palmerston accordingly, with his usual tact and adroitness, presented his proposition to the House of Commons in two parts; asking a vote in the first place of 67,000*l.* for the purchase of the land on which the Exhibition edifice stood and some ground adjacent to it. He prefaced his motion by some remarks upon the inferiority of London in its streets and public buildings, compared with other cities and with the character of the country,



and ascribed the cause of this inferiority to the great value of the ground in London, and the immense competition for it. He mentioned instances of the enormous prices demanded for pieces of land in London required for improvements, amounting in one case to no less than 119,000*l.* for an acre. A fraction of an acre near St. Paul's Cathedral was valued by the Corporation of the City at 60,000*l.* The same cause, he observed, operated in other cities in the country, owing to the value given to land by the natural progress of wealth; and the question was where to look for land for the purpose in view. Now, the land held by the Exhibition Commissioners of 1851 was suitable to our wants and not too distant from the centre of the town. What was wanted was sufficient space for a Patent Office, some collections from the Museum, and a National Portrait Gallery. Supposing land were to be purchased in the metropolis, he showed the enormous price that must be paid for it by reading a series of estimates, whence it appeared that a space of three acres would cost at least 750,000*l.* The proposal the Government had to make was to purchase seventeen acres from the Commissioners for 120,000*l.*, and to pay 80,000*l.* for the building, making together 200,000*l.* As the building was not erected by the contractors for the purposes for which it was now wanted, further expenses must be incurred to make the fabric substantial, to alter the domes, for ventilation and protection against fire, and for improvement in the exterior, the total amount of which would be 284,000*l.* This sum, added to 200,000*l.*, would make 484,000*l.* for seventeen acres of land, covered with a substantial building, to set off against 750,000*l.* Some might say, he observed, that it would be better to buy the land only and let the contractors remove the building; but the erection of a new building would create an additional expense of 40,000*l.* The Government did not propose to remove the National Gallery at Trafalgar-square to Kensington, nor to send the learned bodies there. In conclusion, he expressed his belief that the proposal of the Government would be advantageous to the public; he observed that the plan admitted of future development, and that it combined economy with convenience. He moved the first vote of 67,000*l.* towards the purchase of the land.

Mr. GREGORY protested against the proposal. He objected to the removal of the collections to so great a distance, and the drawing of all our institutions into one focus. He condemned the bargain in strong language, contending that the estimates of the Government were fallacious, and, upon the faith of counter-estimates, that the supposed cheap bargain would involve the country in enormous expense. Why did not the Commissioners, he asked, give up all the land? Because they had involved themselves, or rather the public money, in a private undertaking, the Horticultural Gardens. He asked for more information, for plans and specifications, before the House committed itself to the proposal,

and imploring the House not to make this purchase, he moved the rejection of the vote.

The CHANCELLOR of the EXCHEQUER replied to Mr. Gregory, following him into details, in which he charged him with exaggeration. It was the duty of the Government, he said, to take the sense of the House upon the question whether or not it was better to purchase the building at 80,000*l*. But that was not now the question before the Committee, which was, whether the Government should endeavour to obtain possession of the seventeen acres of land.

After some further discussion, which was of rather an excited character, the House divided upon Lord Palmerston's motion, and affirmed the vote for the purchase of the ground by 267 to 135. The House, however, in adopting this motion, had merely decided that the acquisition by the Government of the freehold of a very desirable plot of land would be a judicious investment of public money; the real struggle as to the purchase and retention of the building was to come. On the day fixed for this discussion the Prime Minister was unfortunately prevented by indisposition from proposing the vote in person, and that duty devolved on the Chancellor of the Exchequer. The great powers of that right hon. gentleman were perhaps less favourably displayed on this occasion than on questions of greater breadth and importance. It was generally considered that his conduct of the case which he had to present to the House was characterized by some deficiency of that tact which the peculiar circumstances of the juncture demanded. The vote which Mr. Gladstone asked was, for the purchase of the buildings at Kensington-gore, and for repairing, altering, and completing them, at a cost of 105,000*l*. Inviting the House to look at this question as a dry matter of business, and touching upon a few preliminary points, he proceeded to state the nature and extent of the discretion sought by the Government. He explained the course taken by them to obtain information as to the estimate of expense, and then suggested to the Committee the situation in which the Government and the House would be likely to be placed, if, after the important step already taken for the purchase of the land, they should stop short, and nothing more was to be done. There was no obligation upon the contractors to remove the building within a certain time, and if the Government removed it they would have a great architectural question to deal with, besides a great money question, while serious inconveniences would result from the unavoidable delay. He then stated the means taken to ascertain the value of the building, and the *data* upon which the Government had made the offer of 80,000*l*. to the contractors. The next question was the position of the Government with reference to the objects to be provided for. They had, he said, to provide for three urgent public wants—the National Portrait Gallery, the Patent Museum, and the Natural History Collections of the British Museum—

which they had no means of meeting except by appropriating some portion of the site at Kensington. Mr. Gladstone explained, by reference to a coloured plan, the arrangements proposed for each of the before-mentioned purposes, and then stated the financial results. The cost of the land, and buildings on a portion of the land, would be 120,000*l.*; there would have to be paid to the contractors 80,000*l.*, and the cost of adapting the buildings would be 90,000*l.*, making a total of 290,000*l.* For this would be obtained four and a half or five acres of land covered with buildings and twelve and a half acres of site; or, in another view, land and buildings worth 360,000*l.*

Lord ELCHO, in a speech of considerable length, denounced the whole scheme of the Government on the grounds of taste and economy, disputing the accuracy of the details given by the Chancellor of the Exchequer, expressing his wonder at the attempt to force this vote down their throat, and stigmatizing the building as a disgrace to the country, condemned by public opinion throughout the civilized world. He moved the rejection of the vote.

Mr. BENTINCK characterized the scheme as one of the most wasteful, extravagant, and unjustifiable proposals ever made to the House of Commons, and one that would open the way to unlimited expenditure.

Sir J. SHELLEY thought it would be better to pull down the building, and, having the ground clear, to see what was practically wanted, and provide for it, than to attempt to patch up a building that could not be made perfect. He must vote, he said, against the proposal of the Government.

Mr. GREGORY, in opposing the vote, accused the Government of either negligence or disingenuousness with reference to the vote for the purchase of the land. He argued that there was no necessity to send the Patent Museum to Kensington; that the Portrait Gallery was always considered to be connected with the National Gallery; and that it was good policy, as well as economy, to build only as required. He believed the proposal to be an extravagant one that would lead to endless expense.

Sir S. NORTHCOTE observed that as the question before the Committee was one of meeting an important demand on the part of the public, and one which, on the other hand, involved a large expenditure, the Government should have come forward with a distinct and definite proposition, whereas their proposition was vague and unsatisfactory, and one upon which it was difficult to come to a decision. He moved the reduction of the vote by 25,000*l.*, leaving the sum required for the mere purchase of the building.

Several members, among whom were Mr. Disraeli and Mr. Lowe, attempted to address the House in favour of the Ministerial proposition, but so excited was the state of feeling that even these influential speakers could not obtain a hearing. Finally, Sir S. Northcote's amendment being withdrawn, the House proceeded



amidst considerable tumult to a division on the main question, when the proposition of the Government was negatived by an overwhelming majority, there being for the vote 121, against it 287.

In proposing an outlay of money for public works of a very different description, the fortification of the dockyards and arsenals, the Government encountered some, though not an equally formidable, opposition. Sir Frederick Smith, an engineer officer, and M.P. for Chatham, moved as an amendment to the Ministerial proposition, "That no further expenditure be incurred for the present upon that part of the project for fortifications which is based on the assumption that an enemy might land in force and attempt to besiege Portsmouth and Plymouth, except on such works as are in a very advanced state of progress." He supported the view upon which the Resolution was founded by a train of professional arguments, pointing out the large expenditure that would be incurred for objects which he held to be unnecessary. Having looked at the question, he said, with great calmness and attention, he had thought it his duty to put this Resolution upon the paper, and commended it to the consideration of the House.

The amendment was supported by several members, among whom was Mr. B. Osborne, who remonstrated strongly against what he believed would be an indefinite outlay of money, reaching, perhaps, to 20,000,000*l.*; also by Lord Fermoy, Sir Thos. Colebrooke, Colonel Sykes, and, in a speech of much earnestness, by Mr. Cobden. Observing that this was a question concerning inland defence, on the assumption that an enemy had landed and was advancing into the interior, he said the project had its origin in a strange fancy of Lord Palmerston, that steam navigation had diminished our naval power in comparison with that of France. He had first launched that idea in 1845, and it had in a variety of forms pervaded his speeches since. He had talked of steam having bridged the channel, and we had been spending millions since in consequence of this illusion; for steam had for the first time made blockades practicable, and we had at this time a far larger steam navy than France. Steam-vessels were building in our ports in great numbers, and was not that our strength? He ridiculed the construction of the enormous fortresses on the South Downs—and if he had not seen them, he should not have believed in such egregious folly—on the assumption that an enemy had landed, and that, when Frenchmen had landed on our shore, our soldiers were to take refuge there. His great objection to the scheme was that it was a disgrace and dishonour to Englishmen. He was of opinion that, whatever state they were in, these inland fortresses ought to be stopped. In conclusion, he made a powerful appeal to the Liberal party to consider whether they were acting wisely in identifying themselves, or allowing themselves to be identified, with this measure at the instance of Lord Palmerston.

The views of the Government as to the necessity of the pro-



posed works were ably expounded by Lord C. Paget and the Marquis of Hartington, and supported by Mr. Puller, Sir J. Ferguson, and Sir De Lacy Evans. Lord Palmerston addressed himself specially to the task of refuting Mr. Cobden's arguments. He said that, looking at the motion in its true meaning and effect, its object was to throw out the Bill, put a stop to these works, and reverse a decision deliberately come to by the House, in opposition, as he firmly believed, to the general sense and intention of the country. He could not imagine any thing more amusing than to read the speeches in that House declaring the invasion of this country to be utterly impossible. Did the Duke of Wellington think it impossible? Quite the contrary. The difficulties of invasion had been much exaggerated; but if our dockyards were defended against a *coup de main*, an invading force would be driven to the larger and less practicable operation. Supposing a small force running to our undefended dockyards, destroying them, and then surrendering, this would be no compensation for the loss. The Government had taken the opinions of a number of military and naval men, who had repeatedly deliberated upon the subject, and had acted upon their opinions in adopting the system of defence which they had recommended as essential to the security of our dockyards.

The amendment of Sir F. Smith was negatived by 132 to 61.

Some further discussion arose on a motion by Sir M. Peto to omit from the schedule of the Bill the items of the Spithead forts—namely, the Horse Sand Fort, 25,000*l.*; No Man's Land, 25,000*l.*; and Sturbridge, 25,000*l.* He contended that nothing had occurred to alter the state of this question since last year, and that it was almost impossible for the forts to prevent the passing of iron-clad ships. He cited evidence to this effect, and urged the Government to do what they did last year, suspend the construction of these forts.

The Government met the motion by urging on the House the unprotected state of our dockyards, and the impossibility of keeping up an effectual blockade of all hostile ports. They proposed to adopt the double security of floating batteries and forts. If the House, they said, was willing to trust to our navy alone, and would make that navy of sufficient strength, we should not want fixed forts, or land defences, or even Volunteers. But then they must consider what a large naval force and what a vast expense this would involve. That expense would be annual, whereas forts once built would last. On every principle, forts must be an essential part of the defence of our dockyards.

The House supported the views of the Government, and rejected the amendment by 135 to 52.

Irish affairs and interests engaged rather less than usual of the time and attention of Parliament this Session. Reference has been made in former chapters to the distress occasioned in that country through the deficiency of produce caused by a succession

of wet seasons, and particularly to the statement of the Chancellor of the Exchequer respecting the extent of the loss thus incurred, in his speech upon the Budget. The same topic was incidentally brought into discussion on other occasions. There were also two or three formal motions respecting the grievances complained of in that country, which deserve notice. Among others, Colonel Dunne called the attention of the House of Commons to what he alleged to be the present depressed condition of Ireland, and to the amount of taxation imposed on that country, and moved for a Select Committee to inquire into the causes of such depression, and the effects of the taxation. He enumerated, among the indications of the impoverishment of Ireland, the diminution of the population, the decay of agriculture, the reduction of live stock, and the state of the import and export trade. He then gave details of the taxes paid by Ireland, the amount of which, he contended, was much larger than her due proportion, and he insisted that Ireland was entitled to a re-adjustment of the relative taxation of the two countries.

Colonel Dunne's arguments were supported by several members representing Irish constituencies.

Mr. LONGFIELD supported the statements that had been made, arguing that the depression of Ireland was mainly owing to the increase of taxation, which had doubled in ten years, and to the diminution of the population.

Mr. GREGORY drew a picture of the lamentable condition of the western parts of Ireland, and the privations of the people, the stern reality of which, he said, was attested by persons of all parties and persuasions. He complained of the manner in which local expenditure was made in Ireland, citing the Galway contract as an example, and of the petty obstacles and impediments raised to local undertakings.

Sir P. O'BRIEN insisted that the Irish distress was not confined to the seaboard, but prevailed throughout the country, and that it was to be traced to the relations between landlord and tenant in Ireland.

Mr. Cogan, Mr. Maguire, and Mr. Whiteside supported the same views, as to the impoverishment of the country, and the necessity for relief, or at least for inquiry into the causes.

The CHANCELLOR of the EXCHEQUER said the question was one which he was very glad to have brought under the serious consideration of the House. He was, however, not able to concur in much of what had fallen from Colonel Dunne. The causes of the distress of Ireland he had ascribed to taxation, and the remedy he proposed was the re-adjustment of the proportion of the taxation. He (Mr. Gladstone) demurred to the general principle of his argument, that the question was a financial one. After showing by an appeal to figures that Ireland had not been illiberally treated in the expenditure of the general revenue for local purposes, Mr. Gladstone discussed the arguments by which Colonel

Dunne had endeavoured to show that Ireland paid an undue proportion of the general taxation, and showed, by the result of a comparison of the relative taxation of the two countries, that there was no proof or presumption that any fiscal injustice was inflicted upon Ireland, which appeared rather to be more lightly taxed than England. Even the income tax fell more leniently upon landlords and tenants in Ireland than in England. Admitting that equality in taxation lay at the very root of political equality, he did not think that, in the matter of taxation, Ireland had any reason to complain of unfairness or want of consideration. With respect to the motion, he presumed that Colonel Dunne did not intend to press the appointment of a Select Committee at that period of the year; it would excite hopes, but make little progress in an inquiry involving so many details. Although he did not deny that there existed distress in Ireland, she had made, until recently, great and real progress, and he hoped and believed that the interruption would entirely disappear.

Sir R. PEEL also controverted some of the statements made by the mover and supporters of the motion. He maintained that, although there had been a decrease of population in Ireland, there had been contemporaneously an increase of the arable area in the country. He gave the results of statistical details as to the condition of Ireland,—the state of agriculture and the amount of pauperism,—showing, he said, that there was no call for Parliamentary inquiry or exceptional legislation. As an evidence of the decrease of poverty in Ireland, he stated that, while population had diminished 12 per cent., crime, the result of poverty, had diminished at the rate of 400 per cent.

Lord NAAS denied that the two subjects of distress and taxation were connected together as cause and effect, and he did not consider that any good would result from appointing a Committee.

After a good deal of debate, the motion of Colonel Dunne was negatived without a division.

On another occasion, the relations of landlord and tenant in Ireland, to which by some persons a large portion of the distress experienced in that country was attributed, were brought under discussion upon a motion of Mr. Maguire for an Address to the Crown for the appointment of a Royal Commission, to inquire into and report upon the state of the agricultural classes of Ireland, and to suggest such improvement in the relations between landlord and tenant as might seem necessary and expedient. The question, he observed, affected not only the peace, the happiness, and the prosperity of Ireland, but the material interests of the whole empire, and it did not involve political or party topics, or any thing that should excite angry controversy. What was the cause of the misery of Ireland? Unlike England, Ireland was essentially an agricultural country, and he believed that the real cause of its condition was the state of the tenure of land, the

relations between landlord and tenant. He then proceeded to prove by facts, figures, and other evidence, the preamble of his motion—namely, that the measures of 1860, intended as a final settlement of the claims of the Irish tenant, had been wholly inoperative; and that the condition of Ireland called for the adoption of laws that would stimulate industry and protect the enjoyment of its fruits. In the south of Ireland there existed nothing like that security to the tenantry for improvements, called “tenant-right” in Ulster. After mentioning cases of the extortion and oppression of landlords, he touched upon the subject of agrarian outrages—a subject, he remarked, of great delicacy—and inquired into the cause of this species of crime, which was not of recent date, and which tenant-right in Ulster had the effect of restraining. As indications of the backward condition of Ireland, he appealed to the diminution of agricultural stock, the losses of the farmers, the reduction of the number of farms, and the decrease in the population, all which showed, he said, that there was something wrong, calling as loudly for legislation now as in 1860.

The motion was supported by Mr. Bagwell, Mr. P. Urquhart, Mr. Scully, the O'Donoghue, and other members. It was opposed by Sir E. Grogan, who warmly defended the landlords and gentry of Ireland against the charges of tyranny and oppression; by Mr. Roebuck, who regarded the relations of landlord and tenant as properly the subject of contract rather than of legislation; and on the part of the Government, by Mr. Cardwell, Sir R. Peel, and Lord Palmerston. They admitted the distress which existed in Ireland, but denied the connexion of that state of things with the laws regulating the tenure of land. They referred to the attempts which had been made in recent sessions to regulate the relations of landlord and tenant by legislation, and to the futility of the measures which had been proposed. They instanced also the improvements in the law which had actually been effected since the date of the Devon Commission, which had borne some valuable fruits, and contended that the Legislature had gone as far in this direction as it was possible to do without infringing the rights of property. As to what was termed “tenant-right,” or “fixity of tenure,” it means, they said, nothing less than a violation of the rights of property, a transfer of the property in land from those whom the law recognized as owners, establishing on behalf of those recognized as occupiers a right which tended to render landlords little more than annuitants.

Summing up finally his objections to the motion, Lord Palmerston asked, how a Government could increase the prosperity of a country? By removing obstructions and securing life and property, the Government had done all that could be done to effect those objects. If the moral condition of a people was a test of the character of the Government, Her Majesty's Government might take pride in the condition of Ireland. Complaint was made



of the emigration from that country, but complaint used to be made of its over-population; and the misery of the country was chiefly owing to the manner in which land was let and sub-let. A redundant population was no advantage to a country. He protested against communistic views, disguised under the term of "tenant-right." In his opinion owners and tenants ought to settle their own affairs themselves; and they were now at full liberty to do so. In the Act of 1860 the Government had gone as far as it was proper to go, consistently with the principles of justice. They refused to adopt that tenant-right, which would transfer property from the owner to the occupier as a joint, or, in some cases, sole owner.

These arguments prevailed, and the motion was rejected on a division by 128 to 49.

Another question of some delicacy was raised by Mr. Bagwell in the Committee upon the Bill of the Government for amending the laws relating to the Volunteer force. He complained of the invidious distinction made between the two countries in not permitting a Volunteer force to be raised in Ireland, and moved a Resolution,—“That it is impolitic any longer to exclude Ireland from the operation of the Volunteer system, and unjust, should such exclusion continue, to tax Ireland for the support of English Volunteers.”

The question thus raised, and which, if injudiciously dealt with, might have been somewhat embarrassing to the Government, who, while resisting the motion, were in some danger of wounding a sensitive national feeling, was handled with considerable skill and address by Lord Palmerston. He declared that it was not through any want of confidence in the loyalty of the people that the Volunteer system was not extended to Ireland. He was persuaded that the people of that country were as loyal as any nation could be expected to be, and that, if an occasion should arise to call upon the Irish to arm in defence of the country, they would manifest their loyalty. But in Ireland religious opinions had a tendency to call into operation the national quality of pugnacity, which was exuberant, and which the Government wished to reserve for a common enemy, and not to tempt the Irish, in order to keep their hands in, to exercise it upon each other. That was really the whole of the matter.

A majority of 156 to 45 supported the Government on this occasion.

A Bill for the regulation of the Salmon fisheries of Ireland, introduced by Mr. McMahon, with the object of assimilating the law in that country to the beneficial measure recently enacted for the English Salmon fisheries, occupied a considerable portion of the time allotted in this Session to Irish affairs. Involving many questions in which private rights or claims of right were in conflict with the rights and interests of the public, the provisions of this Bill were debated with much tenacity, and at somewhat tedious length.

In the end, a partial compromise was effected, through the intervention of the Government, between the supporters and opponents of the Bill, and it was passed into a law, which promised to be of considerable advantage both to the captors and consumers of an excellent article of food.

The portion of time devoted by the Imperial Legislature to the affairs of the greatest dependency of the Crown—British India—was this year remarkably small; but this circumstance may be regarded rather as a favourable indication than otherwise, so far as it may be attributed to the rapid, yet steady, advance of that country in wealth and prosperity, and to the absence of any causes of disturbance in its political condition. Since the great change in the administration of India which arose from the transfer of the government from the Company to the Crown, we may date a marked improvement in the material prosperity of this portion of the empire, especially in the financial department, which, under the new management to which it was transferred, displayed a most satisfactory reaction; the chronic state of deficit, which had formerly caused so much anxiety, having gradually disappeared, and the public securities manifesting a very improved state of confidence and credit. When, in the latter part of this Session, the Secretary of State for India presented his annual financial exposition to the House of Commons, he was able to congratulate his hearers very cordially upon the improved prospects which after a long period of despondency had dawned upon the finances of that country. The accounts which he had to present were those of 1861-2, ending with the 30th of April of the latter year. As to that year, he said, he was happy to state that there had been a great increase in the revenue of India. “When the regular estimate was submitted to the House last year, it was estimated that there would be a deficiency of some 600,000*l*. I am glad to say that, although the expenditure has been somewhat larger than the estimate to the extent of 370,000*l*., yet the revenue has increased to a large extent,—viz., 920,000*l*. in round numbers. So the deficiency, instead of 600,000*l*., will be only 56,000*l*. The actual revenue was 43,829,000*l*., the estimated amount being only 42,911,000*l*. The actual expenditure was 43,880,000*l*., the estimate having been 43,506,000*l*., or an increase of 374,000*l*.; but the excess of revenue over the estimate, as I said, reduced the actual deficiency to only 56,000*l*. There are varieties in the items which led to that result. There was a considerable increase in the land revenues of 862,000*l*., a portion of which was casual. There was a decrease in the revenue from salt—547,000*l*., not arising from a diminution in the quantity used by the natives, but because English salt has been substituted, to a large extent, for the salt manufactured by the natives, and English salt having paid duty in the previous year gave no advantage to the accounts of this year. There was a considerable increase in the expenditure for the army—880,000*l*., to discharge

some arrears for the old mutiny that had not been brought into account. Upon the other hand, there was a diminution on the cost of opium—600,000*l.*, and upon the whole accounts the result is as I have stated. I think I may fairly congratulate the House upon the circumstance that so soon after the mutiny year we have arrived at a practical equality between Indian expenditure and Indian revenue.”

Sir Charles Wood proceeded to state that the revenue for the current year 1863-4 was estimated at 45,306,000*l.*, and the expenditure at 44,490,000*l.*, leaving a surplus of 816,000*l.* The Government of India had thought it would be wise to reduce taxation to the amount of 335,000*l.*, which would make the probable surplus 480,000*l.* After showing the progressive reduction of expenditure in India, he proceeded to offer explanations and comments upon particular points,—the discontinuance of the India navy, the health of the army, the sales of waste land, the cinchona plantations in the Madras provinces, the cultivation of cotton, the increased consumption of English salt, and other matters.

In regard to the expenditure upon public works Sir C. Wood gave the following explanations:—

“The total sum applied to public works amounts to 5,237,200*l.*, and including the guaranteed interest on railways to 9,237,200*l.* On this point Sir C. Trevelyan, in his financial statement for 1863-4, stated:—

“‘The Government desires that it may clearly be understood that any funds that can be expended with advantage on cotton roads, on works of irrigation or navigation, or on any other useful works, will be granted during the ensuing year. There will be no difficulty as far as money is concerned. The only limit will be the impossibility, in particular cases, of getting value for the outlay.’

“I can assure the House that for some years past there has been no check whatsoever as far as money goes. Many railroads are now approaching completion, and others are progressing rapidly. The whole amount now opened is 2500 miles; 747 were opened last year, and 759 in 1861. The East India Railway is very nearly completed, with some small breaks, and, under the direction of Mr. Turnbull, the works have been admirably executed. The Great Indian Peninsula—one of the greatest works ever accomplished—is rapidly progressing. The Bhore Ghaut incline, which surmounts an elevation of 1800 feet in 15 miles, was opened in April last. The amount of the estimated expenditure on these great lines was 60,000,000*l.* Of this, 56,000,000*l.* has been sanctioned, 48,000,000*l.* has been raised, and 46,000,000*l.* has been spent. The opening of these different means of communication from one part of India to another will be of the greatest possible advantage to that country. When the railways are once commenced, the more rapidly they are pushed on the better. We guarantee the interest, and until the receipts begin to come, of course that is so much out of pocket. The House will be glad to

hear that whereas in 1861-2 the traffic returns were only 390,000 $\%$ ., in 1862-3 they rose to 868,000 $\%$ . That, of course, is deducted from the guaranteed interest which we are liable to pay. The increase in expenditure is 46,000 $\%$ ., taking England and India; the increase of revenue is 1,276,000 $\%$ . This is the more satisfactory, because the reduction of the ten per cent. duty to five per cent. has taken place, so that the revenue has kept up in spite of that reduction."

After particularizing in detail the evidences of progress which the social and commercial state of our Indian possessions afforded, Sir C. Wood thus summed up the results :—

"Throughout the length and breadth of India we hear of a progress and prosperity which must be deeply gratifying to all who have the interests of that country at heart, and from all quarters I receive assurances of the contentment and loyalty of the people. Although the material improvement has been owing to the development of the natural resources of India, still I believe that the measures which have been proposed by the Government, and passed by Parliament, have contributed not a little to this very satisfactory state of things. The natives have been admitted to the highest positions. They have been placed in the Council of the Governor-General, on the bench, and in other situations of high trust and dignity. The people are now, I hope and believe, convinced that India is governed by us for the benefit of the great mass of the population. In referring to these results I should not be doing justice to my own feelings if I did not express my obligations for the assistance I have derived from my Council, and the support which the House has uniformly afforded to me."

Most of the members who took part in the debate which followed Sir C. Wood's statement, expressed their concurrence in the favourable anticipations which he had held out of the future progress of India, and joined in congratulating the House upon the success of the policy pursued. In regard to one point, however, an exception was made, it being alleged by some members that the Government might offer greater encouragement than they had hitherto done to the cultivation of cotton, whereby the increased supply, so much needed by this country, might be facilitated. This question, indeed, had formed on a prior occasion the topic of a separate debate, involving the policy of the Government in regard to the occupation by settlers of waste lands, and the redemption of a portion of the land tax.

Mr. H. SEYMOUR, who strongly advocated the extension of facilities to the cultivation of cotton by measures of this nature, brought the subject before the House of Commons in the shape of a Resolution, expressing the opinion of the House as to the duty of the Home Government in this respect. He argued that the land tax of India was a heavy charge upon the soil; that such a joint ownership between the State and the proprietor checked the accumulation of capital, restricted its flow, and interfered with improve-



ment; that if the land tax were done away, the large expenditure upon public works, which was attended with evils, would be unnecessary, and that a larger amount would be expended by the owners of the soil. He fortified his argument by the testimony of Indian officers, who were of opinion that the measure would, moreover, have a tendency to ameliorate the condition of the agricultural classes, and be attended by indirect moral advantages to the native population. He referred to the despatch of Lord Stanley in 1858, recommending the measure; to the general concurrence it had met with in India, and to the proclamation of Lord Canning to the same effect. He then subjected to a severe criticism the despatch of Sir C. Wood, of July, 1862, cancelling, he said, that of Lord Stanley—a despatch which he thought must have been written by an old East Indian director. He condemned the rules which Sir C. Wood had substituted for those prescribed by Lord Canning for the sale of waste lands, especially the auction system and the imperfection of the tenure; and inferred, from a case which he cited, that Sir Charles had infused an illiberal spirit into the *employés* of the Indian Government. He adverted to the vast quantities of waste land, of the most fertile character, in various parts of India, particularly in the Terai, a tract at the foot of the Himalayas, where are the remains of the cultivation of former periods; and he insisted that there was enough of this land for any number of European settlers, whom the rules of Sir C. Wood were, he said, calculated to deter. In a great cotton-growing empire like India, the supply of cotton, which had increased in other countries, had rather decreased, the Government having denied to this culture the encouragement given in one of our colonies. His object in this motion was, he said, not to prefer an indictment against Sir C. Wood; but he could not shut his eyes to a state of things in India which was not satisfactory.

Mr. SMOLLETT viewed the policy of Sir C. Wood in a different light from that in which it had been placed by Mr. Seymour. He thought the alterations of Lord Canning's proclamation made by Sir Charles were founded in a just and liberal spirit, not departing from, but confirming, the principle of the proclamation. The outcry raised against the amended rules for the sale of waste lands came, he said, from a set of land-jobbers; they had given the utmost satisfaction to the natives of India. On the subject of the sale of waste lands, he thought the proposed measure was a faulty one; that in the plains, as regarded the settlement of Europeans, it would be inoperative; and with regard to the redemption of the land tax he believed it was utterly impossible, in the present state of India, to be carried out.

Mr. BUXTON defended the amended rules for the sale of waste lands, and gave credit to Sir C. Wood for having ratified the scheme, though he dissented from his views as to the redemption of the land tax.

Lord STANLEY expressed his regret that the two subjects em-

braced in the Resolution,—namely, the redemption of the land tax and the sale of waste lands—were not separately presented for discussion. With regard to the former he had been, and still remained, of opinion that a very considerable number would not avail themselves of the opportunity to redeem the tax, yet that it was most important to offer encouragement to that step. He compared his own plan and that of Sir C. Wood for dealing with the land tax, and stated his reasons for still preferring his own. As to the other subject, the sale of waste lands, he believed the quantity of these lands was practically unlimited, and the question was how best to open them to Europeans or natives, and whether it was best done by Lord Canning or Sir C. Wood. He did not blame the latter for expressing his opinion of the rules promulgated by Lord Canning; but he thought Sir C. Wood was wrong in delaying his revision of them. If a change was to be made, the very earliest notice ought to have been given. He then explained wherein he agreed with, and in what respects he differed from, the modifications made by Sir C. Wood in the rules laid down by Lord Canning, and his reasons for so doing.

Mr. AYRTON denied that the ownership of the land in India was in the Government; on the contrary, he asserted that the native occupiers of the land were the owners of the fee simple of the land they occupied. He was satisfied with the despatch which Sir C. Wood had sent out to India.

Sir C. Wood vindicated himself and the Indian Government from the charge of neglecting to encourage the growth of cotton in India, appealing to documents before the House, to which Mr. Seymour had abstained from referring, which proved the contrary. With regard to the sale of waste lands he had approved, he said, the whole of Lord Canning's resolutions, with only two exceptions, and he justified his overruling an act of the Indian Government in which they had been legally wrong, and had acted in excess of their authority. In dealing with waste lands it was to be remembered, he observed, that there were three descriptions of lands called waste, to which different incidents attached; and he defended the regulations he had directed to be observed in their disposal, surveys and sale by auction, entering into very full details respecting the description and quality of the lands sold, and the prices obtained for them. Large quantities of land, he observed, lay waste or uncultivated which the Government had no power to sell, it being the property of a zemindar or a village community. The love of the people of India for their land was inconceivable. If there was one thing more than another that would alienate them, it would be a feeling that we were trifling with their rights of property. With respect to the redemption of the land tax, he agreed with Lord Stanley that, up to a certain point, there was no difference between them. He certainly objected to the sacrifice of a large portion of the land tax—a tax which had existed in India from time immemorial, and was acquiesced in by the whole popu-

lation. There was, he observed, at present, a mode of virtually redeeming the tax.

Mr. Seymour's motion was withdrawn.

The amount of Law Reform accomplished this year was but small. Some progress was made in carrying on the work of preceding years, by expurgating the Statute Book of a great number of obsolete Acts, passed between the reigns of Henry III. and James II., which had either ceased to operate by reason of a change of circumstances, or had otherwise become practically defunct. The work of investigating and verifying the Acts thus dealt with was necessarily entrusted to legal draftsmen, and the result of their labours, presented to Parliament in the shape of a voluminous Bill, and vouched by the law officers of the Crown, was virtually taken upon trust by the Members of the Legislature, who could not be expected personally to inquire into the circumstances of each Act in the great mass which it was proposed to repeal. Assuming the task of revision to have been faithfully and accurately performed, it was unquestionably a great advantage to rid our voluminous Code of Statutes of so much dead and useless matter. The Lord Chancellor, on whose responsibility this measure was introduced, took occasion, on bringing it before the House of Lords, to unfold the outline of a more comprehensive plan which he had formed, which should include not only the Statute but the Common Law also, as it exists in the immense mass of judicial decisions in reports, and embody both in a complete and methodized digest. The noble and learned lord stated in his speech that the decisions of the Common Law Courts were based on Common and Statute Law, of which the former consisted of the decisions of Judges, and the latter was found in books. He proceeded to describe in what manner the Law Reports had been compiled from the earliest times, and stated that when it was proposed in Lord Bacon's time to make a digest of the laws there were only 60 or 70 volumes of Reports, but that now there were upwards of 1100 or 1200 volumes. He commented on the contradictions and anomalies in our Law Courts, some of which relied on previously decided cases, recognizing those decisions as binding, while others held themselves at liberty to reject such decisions when absurd and unjust. Hence arose what had been called "the glorious uncertainty of the law," so that it was impossible to predicate what the law in any case would be. Another evil of the present system was the quotation of manuscript notes, which upset all calculations based on published decisions. He instanced the uncertainty of the law which attached to the liabilities of provisional committee-men, and thought that, as certainty was the main ingredient of justice, and should be of law, we ought to take steps to render our procedure free from doubts. What he proposed was, that a Commission should be appointed to examine the Reports, divide them into three classes of different periods, weed them of contradictory decisions, and preserve those only which were found suitable to govern future cases. By these and other means,



which he detailed, he hoped to attain a perfect digest of the Statute and of the Common Law. He used the word "digest" advisedly, as he did not think the law of England was as yet in a fit state for codification, nor would be, until we got rid of the absurd division between the province of Common Law and the province of Equity. He proceeded to detail the efforts which had been formerly made to digest and consolidate the law up to the year 1816, when the House of Lords expressed an opinion strongly in favour of such a course. Little had been done, however, to carry out that opinion. Inadequate salaries to the two gentlemen employed on the subject prevented them from giving all their time to the work. If, however, his proposals were prosecuted with effect, he trusted that the process of revision and expurgation would not take much more than another year, after which the arrangement and classification of the different subjects could be proceeded with. Lastly, he called attention to the necessity of instituting an annual revision of the Reports, which might be accomplished by a "Department of Justice," in order to prevent the law from again falling into its present contradictory and chaotic state.

Several of the Peers, among whom were Lord Brougham and Lord Cranworth, expressed their approval of the objects of the Lord Chancellor, and their desire to aid in any measures which would conduce to the simplification and amendment of our jurisprudence. The Statute Law Revision Bill was passed without any material opposition through both Houses of Parliament, and became law, but no further progress was made in the present Session with the other measures of law reform indicated in the Lord Chancellor's speech.

From the small proportion of important public measures which were this year submitted to Parliament, an expectation had been entertained that the Session of 1863 would be of unusually short duration, and that the members would be released at a comparatively early period of the summer from their duties. The business to be done, however, though not of the highest political interest, proved to be considerable in amount, and required more time than was anticipated, so that it was but little before the usual period that the work of the Session could be brought to a conclusion. Few Bills, indeed, had this year been abandoned or postponed, as has been the case in former Sessions, from pressure of time, nor were the sittings so protracted, or the labours of members so severe as they have frequently been of late years.

On the 28th of July, the business having been got through, the prorogation of Parliament took place by Commission. The Lord Chancellor read from the throne the message from the Crown, which was in these terms:—

"MY LORDS AND GENTLEMEN,—

"We are commanded by Her Majesty to release you from further attendance in Parliament, and at the same time to convey



to you Her Majesty's acknowledgments for the zeal and assiduity with which you have applied yourselves to the performance of your duties during the Session now brought to a close.

"Her Majesty has seen with deep regret the present condition of Poland. Her Majesty has been engaged, in concert with the Emperor of the French and the Emperor of Austria, in negotiations, the object of which has been to obtain the fulfilment of the stipulations of the Treaty of Vienna of 1815 in behalf of the Poles. Her Majesty trusts that those stipulations will be carried into execution, and that thus a conflict distressing to humanity and dangerous to the tranquillity of Europe may be brought to a close.

"The Civil War between the Northern and Southern States of the North American Union still, unfortunately, continues, and is necessarily attended with much evil, not only to the contending parties, but also to nations which have taken no part in the contest. Her Majesty, however, has seen no reason to depart from that strict neutrality which Her Majesty has observed from the beginning of the contest.

"The Greek nation having chosen Prince William of Denmark for their King, Her Majesty is taking steps with a view to the union of the Ionian Islands to the Kingdom of Greece. For this purpose Her Majesty is in communication with the Powers who were parties to the Treaty of 1815, by which those islands were placed under the protection of the British Crown; and the wishes of the Ionians on the subject of such union will be duly ascertained.

"Several barbarous outrages committed in Japan upon British subjects have rendered it necessary for Her Majesty to demand reparation, and Her Majesty hopes that her demands will be conceded by the Japanese Government without its being necessary to resort to coercive measures to enforce them.

"The Emperor of Brazil has thought fit to break off his diplomatic relations with Her Majesty in consequence of Her Majesty not having complied with demands which she did not deem it possible to accede to. Her Majesty has no wish that this estrangement should continue, and would be glad to see her relations with Brazil re-established.

"GENTLEMEN OF THE HOUSE OF COMMONS,—

"Her Majesty commands us to convey to you her warm acknowledgments for the liberal supplies which you have granted for the service of the present year, and towards the permanent defence of Her Majesty's dockyards and arsenals; and Her Majesty commands us to thank you for the provision you have made for the establishment of His Royal Highness the Prince of Wales.

"MY LORDS AND GENTLEMEN,—

"The distress which the Civil War in North America has inflicted

upon a portion of Her Majesty's subjects in the manufacturing districts, and towards the relief of which such generous and munificent contributions have been made, has in some degree diminished, and Her Majesty has given her cordial assent to measures calculated to have a beneficial influence upon that unfortunate state of things.

"Symptoms of a renewal of disturbance have manifested themselves in Her Majesty's colony of New Zealand, but Her Majesty trusts that by wise and conciliatory measures, supported by adequate means of repression, order and tranquillity will be maintained in that valuable and improving colony.

"Her Majesty has given her assent to a measure for augmenting the income of a considerable number of small benefices, and she trusts that this measure will be conducive to the interests of the Established Church.

"Her Majesty has given her assent to an Act for the revision of a large portion of the Statute Book by the removal of many Acts which, although they had become obsolete or unnecessary, obstructed the condensation of the Statute Law.

"Her Majesty has felt much pleasure in giving her assent to an Act for placing upon a well-defined footing that Volunteer Force which has added a most important element to the defensive means of the country.

"Her Majesty has gladly given her assent to an Act for carrying into effect the additional Treaty concluded by Her Majesty with the President of the United States for the more effectual suppression of the Slave Trade; and Her Majesty trusts that the honourable co-operation of the Government of the United States will materially assist Her Majesty in those endeavours which Great Britain has long been engaged in making to put an end to the perpetration of that most disgraceful crime. Her Majesty has assented with satisfaction to many other measures of public usefulness, the result of your labours during the present Session.

"It has been gratifying to Her Majesty to observe that, notwithstanding many adverse circumstances, the general prosperity of her Empire continues unimpaired. Though great local distress has been suffered in Great Britain from the effects of the Civil War in America, and in Ireland from the results of three unfavourable seasons, the financial resources of the United Kingdom have been fully maintained, and its general commerce with the world at large has not been materially impaired.

"It has been a source of great satisfaction to Her Majesty to find that her East Indian possessions, rapidly recovering from the disasters which lately overspread them, are entering upon a course of improvement, social, financial, and commercial, which holds out good promise for the growing prosperity of those extensive regions.

"On returning to your several counties you will still have important duties to perform; and Her Majesty fervently prays that

the blessing of Almighty God may attend your efforts to promote the welfare and happiness of her subjects, the object of her constant and earnest solicitude."

After this, the Commission for proroguing the Parliament was read, and the Lord Chancellor, in Her Majesty's name, and in obedience to her commands, declared Parliament to be prorogued until Wednesday, the 14th day of October next.

Thus ended the Parliamentary Session of 1863. It was remarkable for the absence not only of constitutional changes or reforms, but also of exciting questions or animated party contests. Not a single division occurred in either House, which could be described as a strictly party division, although that which took place on the Church-rate Bill approximated nearly to that character. Neither were the legislative results, if we regard the weight of the measures which received the Royal Assent, considerable. Nevertheless, on examining the list of Acts passed—124 in number, in addition to 238 private and personal Acts—we shall find a fair proportion of useful and practical measures; sufficient at least to redeem the Session of 1863 from the reproach of barrenness. It should be remembered too, as has been more than once remarked in answer to such imputations, that the British Parliament does not sit merely and solely for the purpose of enacting statutes. It is the organ and mouthpiece of the national opinions, which it not only represents, but also to a great extent enlightens and instructs, by the discussions which take place within its walls. It is the ultimate court of appeal in all controversies, and the supreme arbitrator in all grievances. It exercises a judgment and wields a powerful moral influence over the affairs not only of this country but of foreign nations, for it may be truly said that there is none so remote or so powerful as not to acknowledge the influence and yield a deference to the voice of the British Parliament. In the proceedings of the Session here recorded may be found no unimportant instances of this truth. Some of the debates on foreign policy were well calculated to exercise, and beyond all doubt did exercise, a considerable effect on the counsels of the States to which they referred.

The interest of the year, so far as its domestic history is concerned, is chiefly centred in the proceedings of Parliament which have been now briefly recorded, and in the political and public incidents of which some account has been given in the preceding chapters. There are two great features, of very different character, for which the annals of 1863 will be chiefly conspicuous—the one, the auspicious marriage of the heir to the throne, and the ceremonies and celebrations by which it was distinguished; the other, an event of very different aspect, yet of great, though painful, interest, the Lancashire distress. Sad as are the incidents of this chapter of the year's history, it is yet one which, taking all the circumstances into account, the nation will, we believe, hereafter look back upon with feelings of sorrow not unmixed with pride and satisfaction.

The commercial character of the past year presents some remarkable features. Though generally prosperous, it was marked by unusual fluctuations in the money market. There were no less than twelve changes in the Bank rate of discount, against five in 1862. At the beginning of the year the rate was only three per cent. At the end of January it was five. In April it was again three. In May, four, at which rate it continued until November, when it was increased to six. In December it rose to seven, and for a short time to eight, but was reduced again to seven before the end of the year. The principal causes which produced the drain of the precious metals and necessitated this high rate of discount, have been already particularized in connexion with the history of the cotton famine. The variations in the prices of the public funds were not great. The difference between the opening and closing quotations of the year showed a decline of only  $1\frac{1}{4}$  per cent. The extreme range of Consols was  $3\frac{7}{8}$ , the lowest price being at the beginning of December. Foreign stocks and railways, however, did not exhibit a corresponding reduction with the public funds; some of these securities having increased in value during the year. In English railways an average advance was established of about five per cent. The year was marked by an unusually small number of commercial failures. Indeed, it is remarkable to how slight an extent the operations of trade appear to have been affected by the enhanced value of money. The expansion of our foreign commerce, notwithstanding the drawback of the American Civil War, was beyond all precedent. The Board of Trade tables of exports for eleven months of the year show the enormous value of 132,135,368*l.*, being an increase of nearly seventeen per cent. upon 1862, and about eight or nine per cent. in excess of any amount before recorded. The Public Revenue tables likewise exhibited at the termination of the year a very satisfactory result. There was indeed a small aggregate decrease of somewhat more than half a million, but this arose only upon those two branches of revenue on which a remission of taxation had been made, viz., the income tax and the customs, the latter being affected by the reduction of the tea duties. Every other branch of the national income showed an increased return, and in the two excepted cases the amount of the deficiencies was below the estimate of the Chancellor of the Exchequer. The increased energy, alike of the productive and consuming forces of the country, had thus far compensated the loss of the reduced taxes.

Most remarkable, however, among the commercial features of the year were the extent and variety of the new investments to which British capital was committed, and the extraordinary development of the joint-stock principle under the condition of limited liability, which received this year a greater impulse than it had ever before experienced. In addition to a considerable number of foreign loans which were brought upon the English



market from Turkey, Denmark, Brazil, Portugal, the Confederate States of America, and other quarters, a variety of companies, no less than 263 in number, offered an outlet in many diversified forms for the surplus income of the nation. The total nominal capital of these investments, loans, and new companies together was stated at no less than 144,128,000%. But from this sum, large enough to excite serious alarm in the minds of all prudent persons, large abatements must be made if we wish to estimate fairly the real extent of the drain upon the disposable capital of the community. In the first place, a considerable deduction must be made for abortive schemes; next, a large portion of the capital, even of those undertakings which are likely to proceed, is not intended to be called up; and, lastly, many of the undertakings represent only a transfer of capital, under the new law of liability, from private partnerships to joint-stock associations, and the sums, which now figure as shares, were equally invested formerly in another shape as commercial capital. Thus the many new joint-stock banks which, stimulated by the great profits realized by similar institutions, came this year into existence, in effect only took the place of those private banking firms which they appear likely in course of time to supersede, and to this extent the change of system operates as a transfer rather than an addition of liabilities. Another class of enterprises, such as the Financial Associations recently formed upon the model of the Credit Mobilier and Credit Foncier of France, are designed rather to encourage other undertakings—which, if judiciously selected, will tend to increase the wealth of the country—than to absorb or sink capital on their own account. These considerations may qualify the alarm felt in some quarters at the immense amount to which the disposable capital of the country would seem at first sight to be committed by the vast crop of joint-stock associations which sprung into being during the year 1863. On the other hand, if there is no ground for morbid apprehension, there is at least enough in the commercial and political aspects of the times to justify caution and sobriety in speculative enterprise. Experience has proved that this country is liable at no distant intervals to the recurrence of a speculative mania, which outruns all limits of reason and prudence, and ends by involving a large part of the community in serious distress. It is at seasons of high commercial prosperity that the temptations are most strongly felt, and it would seem to require nothing less than actual and personal suffering to teach wisdom in such cases. Individuals, indeed, must be left to the consequences of their own conduct—against the dangers of indiscretion it is beyond the power of any Government to protect them; the law has done all that it undertakes, or can reasonably be expected to perform, if, abstaining from all direct encouragement to improvident transactions, it secures to all its subjects the unfettered exercise of their own industry and intelligence, and leaves a free field for the development of the resources and energies of the nation.

# FOREIGN HISTORY.

## CHAPTER I.

### FRANCE.

Reception of the Diplomatic Body—Speech of the Emperor at the opening of the French Chambers—Address of the Senate—Speeches of M. Thouvenel and Marquis de Boissy—Debate on the Address in the Corps Législatif—Speech of M. Billault—Speech of Prince Napoleon on the Polish question—Reply of M. Billault—Letter from the Emperor to M. Billault—Foreign policy of the French Government—Ministerial interference with the Elections—Addresses of Opposition Candidates—Political letter of French Prelates—Its condemnation by the Government, and Decree for its suppression—General result of the Elections—Letter from M. de Persigny, the Minister of the Interior, to the Prefects—His resignation—M. Billault appointed Minister of State, and other changes—Sudden Death of M. Billault—The Emperor's proposal of a general European Congress—His Letter to the Germanic Confederation—Refusal of Great Britain to join—Replies of Russia, Spain, Prussia, the Pope, Greece, Denmark, Hanover, Bavaria, and the Germanic and Swiss Confederations—Speech of the Emperor on the opening of the Session of the new Chambers—Views of the French Government on questions of Foreign Policy—Speech of M. Thiers—Financial position of France.

On the 1st of January the Emperor received at the Tuileries the members of the Diplomatic Body, and in answer to the Papal Nuncio, who spoke in their name and offered their congratulations on the occasion of the New Year, he said, "I am happy, at the commencement of the year, to see myself surrounded by the representatives of all the Powers. They can testify to my desire to live with them in relations of friendship, so necessary to the security of the present and of the future."

On the 12th of January the Session of the Senate and Corps Législatif was opened by the Emperor in person, who delivered the following speech:—

"The Legislative Body is about to commence its last Session. To have anticipated the term fixed by the Constitution would have been, in my opinion, an act of ingratitude towards the Chamber, of mistrust towards the country.

"The times have passed when it was thought necessary to take advantage of a happy incident to make sure of the votes of a restricted number of electors. At the present day, when every one is aware that the masses no longer possess the restlessness of former times, convictions do not change at the slightest breath which seems to agitate the political atmosphere.

“As we now meet for the last time, it is advisable to cast a retrospective glance upon what we have done together during the last five years; for it is only by taking a connected view of a period of years that a correct judgment can be formed of the consequent spirit with which the affairs of the country have been managed.

“It is a usual thing to suspect in the acts of Sovereigns some secret motive or some mysterious combination. Yet my policy has always been simply to increase the prosperity of France and her moral preponderance without abusing and without weakening the power placed in my hands; to maintain abroad, within the limits of right and of treaties, the legitimate aspirations of nations towards a better position; to develop our commercial relations with those countries towards which we are drawn closer by a greater community of interests; to erase from diplomatic parchments the old questions of litigation, so as to obviate all pretexts of misunderstanding; to insist, finally, upon a full reparation for any insult offered to our flag, for any prejudice against our countrymen.

“It is thus that, according to circumstances, I have been enabled to carry out these principles.

“In the East the national wish of the Danubian Principalities to form only one people could not find us unconcerned, and our support has contributed to cement their union.

“We have given our support to what we thought justifiable in the grievances of Syria and of Montenegro, and of the Christians of Syria, without disavowing the rights of the Ottoman Porte.

“Our arms have defended the independence of Italy without tampering with revolution—without altering after the day of battle our friendly relations with our adversaries even for a day—without abandoning the Holy Father, whom our honour and our past engagements bound us to support.

“We have suppressed the causes of misunderstanding which might have arisen with Spain, either from the non-delimitation of the frontier line, or from the old debt of 1823; and with Switzerland the difference respecting the Valley of the Dappes.

“Commercial treaties have been, or are on the eve of being, concluded with England, Belgium, Prussia, Italy, and Switzerland.

“Finally, expeditions to China, Cochin-China, and Mexico prove that there are not any countries, no matter how far distant, where any attempt against the honour of France remains unpunished. Such facts could not be accomplished without complications. Duty always advances through danger. Nevertheless, France has been increased by two provinces. The barriers which separated us from our neighbours have been removed; a vast territory has been thrown open to our activity in the far East; and, what is better than conquests, we have acquired claims to the sympathy of the inhabitants, without losing the confidence and the esteem of the Governments.

"During the years recently passed, I have been enabled to have personal interviews with most of the reigning Sovereigns, and from those interviews friendly relations have arisen which are so many guarantees for the peace of Europe. This peace cannot be disturbed by the events which have just taken place in Greece.

"This brief sketch of the past is a guarantee to you for the future, and, despite the pressure of counteracting events and of opposing opinions, I hope that you will admit that I have always unflinchingly followed the same line of conduct. As more particularly regards our position at home, I have endeavoured, on the one hand, by a complete amnesty, to obliterate, as far as I could, the remembrance of our civil discords; and, on the other hand, to increase the importance of the great bodies of the State.

"I have called you to take a more direct part in the Government. I have given to your deliberations all the guarantees which freedom of discussion could claim. I have relinquished a prerogative, hitherto deemed indispensable, so as to allow the Legislative Body to control the expenses in a more absolute manner, and to give more solidity to the bases upon which public credit rests.

"To reduce our expenses, the army and navy estimates have been considerably diminished. The floating debt has been reduced, and by the success achieved by the conversion of the *Rentes* a great step has been taken towards the settlement (*unification*) of that debt. The indirect revenues show a continual increase of prosperity, and the condition of the empire would be flourishing if the war in America had not dried up one of the most fruitful sources of our industry. The forced stagnation of labour has caused in many districts an amount of destitution which deserves all our solicitude, and a grant will be asked from you for the support of those who with resignation submit to the effects of a misfortune which it is not in our power to put a stop to. Nevertheless, I have made the attempt to send beyond the Atlantic advices inspired by a sincere sympathy; but, the great maritime Powers not having thought it advisable as yet to act in concert with me, I have been obliged to postpone to a more suitable opportunity the offer of mediation, the object of which was to stop the effusion of blood, and to prevent the exhaustion of a country the future of which cannot be looked upon with indifference.

"I shall not now enter into details respecting various administrative improvements,—such as the creation of an army reserve, the remodelling of the fleet, institutions for the benefit of the poor, great public works, encouragement to agriculture, to science, and to art, the maintenance of the prosperity of our colonies despite the suppression of the emigration of the blacks, the consolidation of our possessions in Africa, by our care in gaining the affections of the Arab population and of protecting our settlers. The report upon the condition of the empire will give you all these measures in detail.

"Useful work is still in store for the conclusion of your labours,



and when you return to your respective provinces, let it not be forgotten that, if we have overcome many difficulties, and accomplished many useful acts, it must be attributed to the devoted support of the great bodies of the State, and to the harmony which has prevailed among us; nevertheless, there remains still much to be done to perfect our institutions, to disseminate good ideas, and to accustom the country to count upon itself. Tell your fellow-citizens that I shall be always ready to adopt any thing in the interests of the majority, but that, if they have at heart to facilitate the work that has been commenced, to avoid conflicts, which only lead to disaster; to strengthen the Constitution—which is their work,—they must send to the new Chamber men who, like you, accept without reserve the present system, who prefer serious deliberations to sterile discussions; men who, animated by the spirit of the age, and by a true patriotism, will, by their independent spirit, enlighten the path of the Government, and who will never hesitate to place above party interest the stability of the State and the greatness of the country.”

The Address, drawn up by the Committee of the Senate, was a mere echo to the speech. The following were the passages relating to Italy and America:—

“Italy, nearer to us, herself seconds the allaying of fears, after having caused them to arise. The era of conflicts is receding; that of compromises appears to be approaching.

“At Turin people no longer speak of Rome; at Rome they are occupying themselves with reforms; and the Holy Father, sustained by the presence of our army, expresses openly his gratitude to the Emperor. He knows that the independence of Italy is not a compact made by France with the revolution, and that reliance may be placed on your Majesty, whenever honour and past engagements have made their voice heard.

“It would be very desirable to find the United States of America permitting us to entertain analogous hopes. But civil war there pursues its ravages, and the conciliatory projects of your Majesty have appeared premature to the two great maritime Powers of Europe. We regret it; diplomacy is always welcome to offer with disinterestedness the counsels of humanity. We regret it the more, as, in consequence of the trouble which the Secession has thrown into our commercial relations with America, a stagnation of labour has in several manufacturing districts reached an afflicting state. Although that industrial crisis is not to be compared in its intensity to what is taking place elsewhere, it calls for all the solicitude of the State and of private individuals.”

And the concluding paragraph was in the following terms:—

“France is not accustomed to slumber in a sterile inactivity. This great country, which has contributed its courage in warfare, its marvellous intelligence in the labours of peace, its admirable good sense in the direction of its policy, will redouble its efforts to attain the progressive destinies which have been marked out for

it by your Majesty. The Empire, consolidated by time, consecrated by the sympathies of Europe, and sustained by the affection of the people, will not fail to fulfil its promises. France, in concert with it, will not be found wanting in her mission."

In the course of the debate M. Thouvenel entered into a long explanation of the causes which led to his resignation as Minister of Foreign Affairs last year, in the course of which he said :—

"After the defeat of Garibaldi the Cabinet of Turin claimed Rome as the reward of its victory. The Emperor deemed it unadvisable to negotiate again with Turin on that basis; but could I negotiate again with Rome?" He then quoted a passage from one of his despatches to the French Ambassador at Rome, relative to the solution of the Roman question, and added, "I know not what impression these words may produce on you now, but on re-perusing this despatch three months ago, on one of the most important conjunctures of my life, it produced on me the effect of a bill of exchange drawn by myself on my own dignity, and then about to fall due. I was unwilling to let it be protested, and the Ambassador of France at Rome, the Marquis de Lavalette, thought proper to take half the debt upon himself. He also resigned. On his part the Emperor thought that if the negotiations were to be resumed, it must be by some other person who had not, like myself, by two years' experience, lost all confidence in the success of the undertaking. I then had the pain, not of losing the Emperor's confidence (his letter proves the contrary), but of withdrawing from his Councils."

M. Billault, Minister without portfolio, replied in the name of the Government, and said :—

"The question on which you will be invited to vote has already been so much discussed that long explanations on my part will be useless. What is of importance is that the situation should be clearly defined. The policy of the Emperor has never varied a single instant. Two objects have constantly been aimed at—the independence of Italy and the independence of the Holy See; and as these interests are in opposition the Emperor has wished to conciliate them. Doubtless he did not underrate the difficulties of the task, but nevertheless he held on unwearied. In accord with the Senate and Legislative Corps, he has firmly and resolutely proclaimed his policy of conciliation. Different measures have been proposed; none have as yet succeeded; but what is certain is that the Emperor is determined to prosecute his object. Let me be allowed here to characterize the point at which we have arrived by pronouncing a phrase often used in this debate. The *non possumus* that we found at Rome we now find at Turin. Well, then, in presence of the political *non possumus* of Turin, as well as of the religious *non possumus* of Rome, the Emperor has said, 'Between those two extremes there is a middle term of conciliation possible. I wish to find it, and if the time is not come to make it prevail I will wait.' Such is the simple state of the

question. Recent incidents, recent personal details, are of little consequence. If the Emperor has thought that his policy might be better promoted by another Ministerial combination, that is no ground for throwing a doubt on the loyalty, devotion, and fidelity of my hon. friend the late Minister of Foreign Affairs. Let us only study the Emperor's policy, and let us avoid reviving passions without necessity. What the Senate, what the country, desires is to cause the Emperor's conciliatory ideas to prevail."

During the discussion on the paragraph relating to the civil war in America, the Marquis de Boissy, who makes himself conspicuous by his hatred of England, thus expressed himself:—

"I ask the Committee whether a distinction should not be made between the two great maritime Powers who refused to associate themselves with the French projects of mediation. The Committee says that these projects appeared premature to the two Powers; but I could have wished it to adhere more exactly to the truth of facts. Russia did not bluntly refuse; she even gave to her diplomatists powers which might have been associated with our own at a later period. But England refused bluntly. Why? From a twofold sentiment, resulting from her egotism, which I admire. First of all, she thought that it was not to her interest to associate herself with the Emperor in a course of action so fine, so patriotic, so philanthropic. Then she did not wish to stop the effusion of blood in America. Why, again? Because it is her intention to weaken America, which has been so often formidable to her, and has sometimes inflicted on her such cruel lessons. I regret, then, that the two situations of England and Russia should have been confounded."

The Address was adopted by the Senate with only a dissentient vote, but, strangely enough, that was the vote of Prince Napoleon. The numbers were, for the Address, 121; against it, 1.

On the 30th of January the President, Count de Morny, read in the Corps Législatif the Address, as drawn up by the Committee; and it, like the Address of the Senate, was almost an echo of the speech from the Throne. The debate commenced on the 4th of February, and lasted for several days. In the course of it M. Kolb-Bernard eulogized the policy of France in China, Cochin-China, and Japan. He then touched upon the Eastern question, and said that England was too powerful at Constantinople, and endeavoured to maintain the *status quo* in Turkey from purely selfish motives. He said that England alone sympathized with the Druses after the massacres of the Lebanon, and continued:—

"England wishes to make the onerous gift of the Ionian Islands to Greece in order to ensure to herself dominion over the Hellenic Peninsula. England remains the ally of the Sultan; she places herself as the shield of Turkey, and thus strengthens her position. England has occupied Perim, and covets Lemnos and the Dardanelles."

With reference to the question of Italy, the Address was thus worded :—

“Your Majesty has supported the Italians without making any concession to the revolution. You have not ceased to protect the independence of the Holy Father while continuing to offer him respectful advice. Persevere, Sire, in this policy, which has already produced a happy pacification of the public mind, responding to the feelings of liberal and Catholic France.”

M. Billault, in answer to a speech of M. Jules Favre, a distinguished leader of the Opposition, said, that it was easy to prove that the Italian policy of France was neither powerless nor equivocal. It was requisite that the interest of France should be the first matter of consideration, and not the Italian or the Catholic interest. These interests should be protected by France. She could never suffer the Pope to be a slave. France also desires to protect religious interests as a social right. The interest of France requires tranquillity upon her frontiers, and if she only consulted her advantage she would prefer a federation of Italian States; but France had raised no opposition to the unity of Italy. M. Billault next inquired whether Rome was necessary to Italy. He said that to France Rome represented one of the foundations of the Holy See. Rome as the capital of Italy is of secondary interest to France. He then proceeded to show that France had never promised Rome to the Italians, citing documentary evidence, and stating that the course of policy pursued was always the same. Recalling what France had done for Italy, he said that the political and religious interests of France are opposed to the abandonment of Rome. Until, therefore, a liberal and politic combination was discovered, France could not sacrifice herself to a single pretension. Alluding to the position of England on the Italian question, M. Billault recalled the uncertain attitude taken up by that Power in the beginning, and said that England at a later period strongly recommended Italy to keep away from Venice. In 1860 England made propositions, by accepting which the French would have left Rome, and Austria would have remained mistress of Italy. Were the French to leave Rome, the Pope would be enabled to ask assistance of Austria, and France, having guarded Rome herself, would be unable to offer any opposition. M. Billault said he did not believe that Piedmont would then be able to resist alone, and concluded thus :—

“Italy has before her two different courses. She can make an appeal to revolution, or lean upon France while completing her organization. The Emperor will continue to labour at reconciling Italy and the Pope. He will bring to the task the greater perseverance, the more the passive resistance he has to encounter, convinced that in that direction lies the interest of Italy and the interest of the Pope, assured that to that end are directed the desires of the Catholic world, and, above all, the prayers of France.”

During the debate in the Senate on the question of the Polish



Insurrection, an account of which will be found in our subsequent pages, Prince Napoleon made a long speech, of which the following are the most important passages:—

“I maintain that the lively expression of popular feeling in France in favour of Poland is incontestable. Every one will admit it, even my adversaries, as well as those who are indifferent, as well as those who share my opinions. But I go further, and I say, let us carefully examine the public feeling which urges public opinion in favour of Poland. I admire that feeling which is always to be found in the heart of the French people when a great cause is before it; it is similar to that one which raised Prince Louis to the Presidency of the Republic, and Napoleon III. to the Empire. Do not deceive yourselves; you called that feeling, and not reasoning. But it is owing to that feeling that he is Emperor of the French. Doubtless, a statesman should not be completely carried away by it; he should simply derive his inspirations from it, then moderate them and make them practicable. To vote the order of the day, not according to the explanations given by the Committee, and the more conclusive ones that will be given by the Minister without a portfolio, but according to the common sense of public opinion, would be to vote against Poland, against that sentiment which raised Napoleon III. to power. (Murmurs.) This is my view; every man has a right to explain his own ideas.”

A Senator.—This is a personal explanation.

Prince Napoleon.—Certainly. Although I am not accustomed to unanimity in the Senate, there are some few of my colleagues who approve my words. I believe that the Government of the Emperor will do what it can and ought to do, but I maintain the opinion that to vote the order of the day would be a false interpretation of its sentiments. If you hearken to the advice which it appears to me is contained in the order of the day, it would be a great evil; for, if you do not resolve the Polish question, it will rise again like a spectre from year to year. There is no antidote for such crimes. No, as long as reparation has not been made, the danger of Poland will exist. Is it good policy to advise the Government to postpone action continually? When were circumstances more favourable than at present? The Emperor is in the full vigour of his age and intellect; his prestige abroad is great; it emanates from the campaigns in the Crimea and in Italy. At home the Government is strong. The Emperor may have some enemies, but nothing to alarm him. This is, then, the proper moment to take in hand this great cause of Poland and do something.

A Senator.—It ought to be submitted to the Emperor.

Prince Napoleon.—Yes; but in referring the petition to the Ministers to prove our confidence, and to give advice to the Emperor, which would be wrongly interpreted if you voted the order of the day—

Marshal Baraguay d’Hilliers.—If advice was given him, he would not follow it.

Prince Napoleon.—I agree with Marshal Baraguay d'Hilliers. Why, then, give advice that would not be followed? But I now come to the great reproach, to the great difficulty, to the great objection which I may have to encounter even from those honourable colleagues who approve me. "But," they will say, "this means war! This is what you wish the Government to adopt." Gentlemen, to this I reply, "It is not war, but it is not peace."

Various Senators.—What is it, then?

Prince Napoleon.—My idea is to take the Polish cause in hand, to defend it as best you can, with full confidence in yourselves, feeling certain that it will be in very good hands, and not forsaking it. And this I do not know—whether it ought to be peace or war.

In conclusion, Prince Napoleon said:—

"Gentlemen,—I should like to see every one of us fulfil his duties, and my wish is this:—I should like to see the Polish insurrection last; I should like to see it encouraged, because it is just; that the Emperor should act as he thinks best for the interests of France in this great cause, supported by public opinion, which cannot fail him; that the Senate should not give him advice which might be wrongly interpreted. Then destiny would be fulfilled; satisfied with his conscience every man would have done his duty, and I should then have full confidence in the success of a cause taken in hand by the Emperor."

In reply, M. Billault said:—

"Gentlemen Senators,—I was convinced beforehand of the inconveniences,—I may almost say, the dangers of the discussion which has occupied you during the last two days. Every imprudent word uttered may add to the floods of blood in Poland, every unmeasured word may create insurmountable difficulties to diplomacy. To-day's sitting has placed matters in such a position that it is indispensable for the Government to express itself calmly, quietly, without prejudice, in the interests of all to replace the discussion on its real basis. I, therefore, ask the Senate to allow me to give to-morrow full explanations to efface, if possible, all that is lamentable—baneful to our real political interests in the imprudent words which have been uttered, and to prove to you that the order of the day proposed to you by the Committee is at the same time in harmony with our sympathies and yours for Poland, as well as with the confidence which you place in the wisdom of the Emperor and with the real interests of France, which ought to prevail above every thing else."

The discussion was then adjourned.

Next day, M. Billault expressed his regret that words had been spoken likely to compromise the cause of Poland, and rendering more difficult the course of the Government. He said:—

"The sympathies of France for Poland are not new, and are founded upon glorious recollections, and the sentiments inspired by the sufferings of a heroic people which have lasted nearly a century.

... The Polish question is not forgotten, but a fresh insurrection can only bring fresh misfortunes, and it is neither good, useful, nor humane to encourage it. The French Government persists in this language."

M. Billault recalled to mind that the policy followed by preceding Governments consisted in many words and little actions—"a policy dangerous for Poland, irritating for Sovereigns, and without result for any body." It is necessary, he said, to mistrust popular impulses, and observed that aspirations for liberty were manifesting themselves every where, and made the Powers more accessible to the voice which has been raised in favour of Poland. "For this reason," he continued, "Russia has replied to the communications of France by benevolent words, promising concession and amnesty. The old distrust of Europe towards France exists no longer. The policy and conduct of the Emperor has destroyed it for ever. Foreign Powers understand that this pacific and liberal policy responds to the wants and necessities of all parties. If it should happen that the destiny of Poland must be settled by a Congress, there is no doubt that the voice of France would be listened to."

M. Billault mentioned the precedents of the Senate on similar occasions, and asked that the order of the day be adopted. He remarked, in conclusion, that after the speech which the Senate heard yesterday it could not hesitate between referring the petitions to the Ministry for Foreign Affairs, accompanied by its reasons for so doing, a course which, perhaps, implied the risk of war, and passing to the order of the day, thereby expressing confidence in the wisdom and firmness of the Emperor.

Much cheering followed the conclusion of M. Billault's speech, and the Senate passed to the order of the day by 109 against 17 votes.

The speech of M. Billault so pleased the Emperor, that he addressed to his Minister the following flattering letter, dated March 21st :—

"My dear M. Billault,—I have just read your speech, and, as ever, have been happy to find in you so faithful and so eloquent an interpreter of my policy.

"You have been able to reconcile the expression of my sympathy for the cause dear to France with the regard due to Foreign Sovereigns and Governments. Your words were on all points in accordance with my meaning. I reject any other interpretation of my sentiments.

"I beg you to believe in my sincere friendship.

"NAPOLEON."

Early in the Session a book was distributed amongst the members of the two Chambers which contained diplomatic documents and an exposition of the foreign policy of the Government. We

select those portions which relate to the questions of Greece and the United States, as being of chief interest at the present time.

" *Greece.*—The treaties which established the independence of Greece having placed her under the guarantees of England, France, and Russia, we had to come to an understanding with the Cabinets of London and St. Petersburg on the questions to which the choice of a new Sovereign might give rise. The great Powers, accomplishing disinterestedly a work undertaken with the most generous inspirations, had renounced all attempts at exclusive advantage; they had notably stipulated that the prince whom by virtue of an official delegation they were charged to place on the throne of Greece could not be chosen from among the members of their reigning families. The Government of His Majesty has not hesitated to conform entirely to that rule of conduct, and we rejected beforehand all idea of a French candidature. The Cabinets of London and St. Petersburg evinced similar dispositions. The three Courts were therefore agreed to notify to the Provisional Government of Athens that they considered the protocol of the London Conference applicable to the election of the new Sovereign. But the Cabinet of London, before disavowing officially the candidature of Prince Alfred, was desirous that Russia should equally disavow that of the Duke of Leuchtenberg; and that Power having delayed to give the explanations which were asked for, the English Government announced its intention of considering itself as personally liberated from its engagements. The candidature of Prince Alfred assumed from that moment a new character. The Emperor's Government thought it was due to the friendship which united it to the English nation to explain with an entire frankness the views which we were taking of the possibility of an English dynasty in Greece. The danger which the acts of the London Conference were intended to prevent would inevitably have been realized. We should have seen influences in the East displaced; European order deprived of one of its most important guarantees; and our interests would have imposed on us the necessity of making reserves, and to study, if necessary, the methods of preserving the general equilibrium. We did not dissemble that necessity to the Government of Her Britannic Majesty. The London Cabinet having replied that it was ready to refuse the crown for Prince Alfred if Russia consented to consider the Duke of Leuchtenberg as included in the exclusions foreseen by the protocol of 1830, we employed all our efforts to facilitate an understanding on that basis. The Cabinet of St. Petersburg deferred to the wish expressed. Two notes were in consequence exchanged between England and Russia to stipulate for a reciprocal renunciation in case of the election of Prince Alfred or of the Duke of Leuchtenberg. The Government of His Majesty has itself adhered to that resolution, which has been communicated to Greece by a declaration of the Ambassadors of the three Courts. The Cabinets agreed also to consult together about the designation of a Prince who might be



recommended to the suffrages of the Greeks. At the same time the Government of Her Britannic Majesty adopted an important determination; it declared its intention of giving up the protectorate of the Ionian Islands in favour of Greece, on the condition that the Powers which signed the treaties of Vienna should give their assent, and that the Hellenic Government, in conformity with the assurances it had spontaneously given, should engage to preserve monarchical institutions, and to respect territorial circumscription.

*“The United States.”*—The year just ended has unfortunately produced no solution of the crisis through which the United States are passing. The struggle is carried on with alternations of successes and reverses which threaten to be eternal. At the same time, the sufferings imposed on other countries by the blocking up of one of the most productive countries in the world are being multiplied and aggravated. As far as we are concerned, the distress felt by our cotton industry is well known. The Emperor's Government, therefore, watched with increasing solicitude the course of the events which had already attracted its serious attention during the past year. It was especially anxious to conciliate the maintenance of a friendly neutrality with the duty of protecting its own countrymen, which every day became more imperative. It has not neglected any one of the opportunities which authorized it to explain its opinions to the Federal Government on the dangers and difficulties of the situation; but, while speaking with all sincerity, it was careful to give its observations the most friendly form, and it is happy to say that full justice has been done to its sentiments at Washington. After having, till quite recently, confined its communications with the Federal Government to a kind of confidential exchange of ideas, circumstances induced it to believe that the moment was come to try a more decided step. It thought that after two years of so disastrous a struggle, the season when military operations are of necessity suspended could not be suffered to pass without some effort to turn it to the advantage of peace and compromise. The Emperor's Government was desirous not to act alone. It therefore proposed to the Russian and English Governments to join it, so that they might together bring about an armistice of six months between the Federal Government and the Confederates of the South. The answer of the two Courts is already known. While declaring that they shared the feelings which led us to make the proposal, they declined coming to the understanding suggested. We certainly regretted this determination; but we were conscious of having obeyed the dictates of humanity and sound policy. We are convinced that our proposal, presented collectively, might have contributed to prevent useless bloodshed, and to hasten the moment of reconciliation, the conditions of which were of course to be left entirely to the free choice of the belligerents. There is evidently no sufficient ground for us to resume alone the initiative of a project which, as we thought from the first, ought to

be undertaken with the concurrence of our allies; but we have taken care to let it be known at Washington that we were quite ready, if it should be desired, to facilitate, either alone or collectively, in any form that might be indicated, the work of peace in which we had wished Great Britain and Russia to join us."

When the period for the duration of the existing French Chambers came to an end, great exertions were made by the Opposition to get their candidates returned. The Government, on the other hand, was no less active, and as a curious specimen of the mode in which it showed the interest it took in the forthcoming elections, and its sense of the importance of the contest, we give *in extenso* the following letter, addressed by the Minister of the Interior, M. de Persigny, to M. West, who a few years ago was Prefect of Toulouse, but from some unexplained reason was dismissed from his post:—

"Cabinet of the Minister, Paris, April 5.

"My dear M. West,—You are aware that I have been for a long time waiting impatiently for an opportunity to recall you to a great prefecture. You are likewise aware that the Emperor, who knows perfectly that your removal from Toulouse was occasioned by a misunderstanding, is quite disposed to profit by the first opportunity to recall you to an important post. And nevertheless, on the eve of realizing our just hopes, I am going to ask a sacrifice from you, and to make an appeal to your devotedness. You know the reasons which force the Government to combat M. Keller. If M. Keller were merely a religious man, ardently devoted to the Pope, whatever were his votes in the Chamber, the Government would not hesitate to accept him, as it did M. X. and M. Y., who voted like him. But M. Keller does not confine himself to desiring the triumph of religion, he desires it at the expense of the Empire and of the Prince who is the firmest support of religion. At the instigation of parties who are enemies of the Empire, or pushed on by dangerous passions for the cause which he defends, he is, I regret to say, one of those infatuated men who, by endeavouring to place the Pope and the Empire in opposition, are in reality the enemies of religion and of their country, and ought to meet the reprobation of all rational men. I must, therefore, appeal to your devotedness. I ask you, in the name of the Emperor, to present yourself in your district as a candidate of the Government against M. Keller. Your capacity, your talent, your acquirements may be usefully employed in the service of the State and of your fellow-citizens. The confidence you grant the Emperor's Government will give you the means of usefully serving your fine country of Alsace; and, for my part, I should be happy to learn that you united the suffrages of your fellow-citizens with the testimony which the Government never ceases to give to your devotedness and to your services. Accept, my dear M. West, the assurance of my sentiments of esteem and friendship.

"DE PERSIGNY."

The electoral district of Belfort, in the department of the Haut Rhin, was that for which M. West was thus invited to stand, and the Prefect there placarded a proclamation in every *commune*, in which he said:—

“M. Keller, the late deputy, unmindful of all the Emperor has accomplished for the defence of religion and of its ministers, has suffered himself to be led away by the exaggeration of his religious opinions to manifestations which many of us have rejected. You have in general expressed an opinion that such exaggeration is rather calculated to injure religion than to serve it. But M. Keller, placing the Roman States before France, and the Pope, a temporal Sovereign, before the Sovereign of France, before the Emperor, has not feared to attack the Emperor’s person, and to manifest his preference for language as offensive to the chief of the State as for public opinion and the honour of France. In fine, persisting in his exclusive ideas, you have seen him by his last votes arrive at a systematic opposition. You have given too many pledges of your devotedness to the Imperial dynasty, of your affection and devotedness to the Emperor, not to remove a deputy who so little agrees with your opinions. The Government could, therefore, no longer continue to support the candidature of M. Keller; it ought, on the contrary, to oppose him as a candidate hostile to the Empire and to the Emperor.”

But the Minister of the Interior went still further. He addressed a circular to the prefects throughout France, in which he called upon them to act energetically and do their best to secure the return of Government candidates. After saying that “the play of parties” might do very well for England, he proceeded:—

“But in a country like ours, which, after so many convulsions, has been seriously constituted only for the last ten years, this regular play of parties, which among our neighbours has such a happy effect on public liberty, could be repeated but by prolonging revolution and endangering liberty; for among us there are parties which as yet are nothing but factions. Formed of the remains (or rubbish, *débris*) of fallen Governments, and though weakened each day by time, which alone can make them disappear, they aim at penetrating the heart of our institutions only to vitiate the principle of them; and they invoke the name of Liberty only to turn it against the State. In presence of a coalition of hostilities, of rancour, and of spite opposed to the great deeds of the Empire, your duty, M. le Préfet, is naturally traced, &c. . . . . The suffrage is free; but, in order that the good faith of the populations may not be deluded by cleverness of language or equivocal professions of faith, designate loudly, as in the preceding elections, the candidates who inspire the Government with most confidence. Let the populations know who are the friends or the adversaries, more or less disguised, of the Empire, and let them decide in full liberty, but with complete knowledge of the state of the case.”

This interference naturally gave great offence, as it was beyond

all doubt meant as an intimidation from the highest quarter, and it is well known that the pressure which a prefect can exercise at an election in France is of the most effective kind. He is the dispenser of Ministerial patronage in his department, and can bribe on the largest scale by holding out inducements of place and favour to those who vote for the candidate he supports.

M. Thiers, who since the revolution which placed the Emperor on the throne had lived in retirement and taken no part in public affairs, now came forward as a candidate for one of the electoral divisions of Paris, and he was opposed by M. Devinck, who had openly and avowedly the support of the Government. With reference to this contest, on which perhaps more than on any other, at the time, the attention of the public was fixed, M. de Persigny addressed a letter, on the 21st of May, to the Prefect of the Seine, in which he said :—

“If M. Thiers, paying homage to the grandeur of the new Empire, had presented himself to universal suffrage as the friend of our institutions, the Government would have welcomed with sympathy his return to public life; but from the moment that he has consented, at a meeting of the old parties solely composed of declared enemies of the Emperor and of the Empire, to make himself their champion, he has himself rendered impossible the welcome which the Government might have been disposed to give to the illustrious historian of the Consulate and of the Empire.

“Whether M. Thiers presents himself to universal suffrage with or without repugnance—whether he consents or not to explain his attitude, there is no longer any doubt possible. He henceforth remains one of the representatives of a *régime* which France has condemned, and it is in that quality that the duty of the Government is to oppose him.

“M. Thiers is too honest a man for any one to be able to accuse him of taking an oath which he does not intend to keep. What M. Thiers, however, desires is the re-establishment of a *régime* which has been fatal to France and to himself—and of a *régime* flattering to the vanity of a few, and disastrous for the welfare of all—which removes authority from its natural basis to throw it as food for the passions of the tribune—which replaces the fruitful movement of action by the sterile agitation of harangues—which for eighteen years produced only impuissance at home and weakness abroad—and which, having commenced in street disturbance, continued amid the noise of such disturbance, and ended in insurrection.

“No, Monsieur le Préfet, in face of aggrandized France, of that France which has never become so prosperous and so glorious as since M. Thiers and his party have ceased to be in power; in the bosom of this great city, now the most tranquil, the most wealthy, and the most beautiful in the universe; no, universal suffrage will not oppose to the Government which has extricated the country from an abyss, those who had allowed it to fall there.”



We will give extracts from the addresses of two or three of the Opposition candidates, to show the kind of professions they made and the line of argument they adopted.

In his address to the electors of the first district of the Vosges, M. Buffet, in former times Minister of Commerce, said,—

“If any body dare to attribute to me any mental reservation whatever on the oath which I have taken of obedience to the constitution and fidelity to the Emperor, I shall give the most positive contradiction to such odious insinuations against a man who has never given to any one the right to call in question the sincerity of his words.”

M. Andrea de Kerdral was the Opposition candidate in the Ille-et-Vilain, and he declared his principles to be:—

“Individual liberty, liberty of meeting, liberty of education, liberty of the press, liberty in the elections—all these liberties depend one upon the other. Since 1789 not one of them has perished without all the others having gone with it. The surest aid to liberty is peace. Let the sword of France, rich enough in glory, be never drawn but in a just and necessary war. Let good policy give us durable alliances, and enable us to reduce our enormous army. One word more, and I have done; that word is decentralization.”

In a letter to an elector of the Côtes du Nord, M. de Montalembert said,—

“France, as was stated in the Address of the Legislative Body in 1852, is Catholic and liberal. I, too, am Catholic and liberal. I believe I was the first among us to profess the necessary alliance between religion and liberty; and that alliance I have advocated for more than thirty years. I have nothing to change in the principles which guided me from 1830 to 1852. Now, as then, I desire political liberty as the only real security for civil and religious liberties; the liberty of charity as well as that of public instruction; and of private property as of public honesty. I desire the Government respected, but controlled; the emancipation of the departments and of municipalities; the free development of the moral, intellectual, and industrial life of the country, crushed, as it is, under the yoke of bureaucracy. I do not desire administrative despotism, which with one stroke of the pen destroys, now the Association Bretonne, and now the Society of St. Vincent de Paul; and which even goes so far as to prohibit the most honest men of Paris from giving public lectures for the benefit of the distressed cotton operatives. I do not wish to see our finances endangered, our taxes progressively augmented, our resources absorbed by the capital, or in costly and sterile expeditions. Far from desiring fresh troubles, there is not a single article of this programme which is not indispensable to the security or to the prosperity of the country—not one which offers the slightest danger to a government really worthy of directing the destinies of France. You perceive, sir, that I give beforehand the explanation

which may be demanded of me, in case the independent electors who have thought of me as a candidate should persevere in their project."

During the political contests that were going on throughout France, various applications were made by different electors to the ecclesiastical authorities, asking their advice as to how they ought to vote, or whether they ought to abstain from voting altogether. In consequence of this a collective letter was published by seven of the prelates, which drew down upon them a sharp Ministerial reproof. The document was signed by the Archbishops of Cambrai, Tours, and Rennes, and by the Bishops of Metz, Nantes, Orleans, and Chartres, and the conclusion of it was in the following terms:—

"It is time to take higher ground, and to tell the real meaning of the situation. The elections are not a mere pastime. Perhaps all depends on the new Legislative Assembly. This Assembly will hold in its hands, so far as great things are in the hands of men, the honour of France, the independence of the Church, the peace of Europe, the fate of liberty in our country, the fate of the Papacy in the world. This is why all unite in calling you to the ballot. The Government tells you, 'I desire to do good; I desire it sincerely; but if I am not well informed, counselled, and controlled, France may be exposed to danger in her interests, her finances, and her policy, which I alone cannot conjure.' The country tells you, 'I want laws, institutions, reforms, in order to be prosperous and progressive. Give me wise legislators, men who are upright, firm, conscientious, honest, and devoted to the public weal.' Religion tells you, 'I am with society passing through difficult times, and I have need of courageous defenders.' When you are thus called upon you cannot remain indifferent, nor allow this great assembly to be composed without you—of those passionate elements which you well know, and which never abdicate or desert. No; you cannot do so. If you do not vote, you shall not escape the most formidable of responsibilities; and, more still, you must renounce the hope of maintaining in your country any authority—you who refuse to exercise your highest and most legitimate rights. You wished to have our advice; we give it to you in all its simplicity and truth. Assuredly we have no right to impose it, but neither have we any motive for concealing it from you."

The Minister of Public Worship, M. Rouland, thereupon addressed to each of these prelates the following letter:—

"Monseigneur,—You have just published in the journals, in concert with several of your venerable colleagues, a document entitled, 'Reply of several Bishops to the Consultations addressed to them relative to the approaching Elections.' I do not intend to examine the groundwork of that document. I should find too much to afflict me at seeing French bishops, while pretending to teach the country its electoral duties, affect not to name the Emperor, not to

speak of what is due to the Sovereign elected by the nation, and not to recognize other fidelities than those which turn towards the past. Allow me, therefore, Monseigneur, to confine myself solely to the external character of the document in which you have taken part, and to point out to your Eminence how contrary it is to the obligations of the episcopacy. You are each of you, Monseigneur, the head of a diocese, the limits of which are fixed by civil and canonical laws. The bishop gives advice within the extent of his ecclesiastical jurisdiction to the faithful who apply for it, and he usually in such cases adopts either private or pastoral letters. If the bishop, quitting the religious domain to mix himself up in the struggles and agitations of the political world, thinks it necessary, on his personal responsibility, to preach on electoral duty, he does so to the flock of which he is the shepherd, but he does not address himself to other dioceses by speaking to the whole of France through the medium of the journals. Such a proceeding may, in fact, be considered as a real undertaking against the liberty and the competency of the bishops, who, without abdicating their spiritual direction, do not think proper to speak to their diocesans under that form of universal publicity. It moreover constitutes an excess of power towards the State. Our laws, Monseigneur, do not allow seven bishops to put in common deliberation the memorials to be consulted, collected in their respective dioceses, and to thus form a kind of private council which usurps the right of distributing in the journals political opinions to the whole of the French Empire. His Majesty's Government intends with good faith to respect the liberty which belongs to each bishop for the religious administration of his diocese, but it must also watch over the maintenance of the guarantees of the State and of the principles of our public right. It is for that reason that the Government is firmly resolved to henceforth interdict the publication in the public press of any deliberation emanating from bishops who have assembled without legal authorization."

Nor was this all; for subsequently, on the 16th of August, there appeared in the "Moniteur" a decree signed by the Emperor, which,—after stating that a pamphlet had been published, having for its title a "Reply of various Bishops to Consultations addressed to them relative to the forthcoming Elections," and alleging amongst the reasons for the decree "that, according to the terms of the declaration of 1682, it is a fundamental maxim of the public law of France that the Head of the Church and the Church itself have not received any power except upon spiritual matters, and not upon temporal things; that, consequently, the pastoral letters which bishops may address to the faithful of their diocese only must be confined to instructing them in their religious duties," and that the archbishops and bishops have no right to deliberate together or adopt resolutions in common without the express

permission of the Government,—enacted that “the said pamphlet is suppressed.”

The result of the elections in Paris was most unfavourable to the Government. In all the arrondissements the Opposition candidates were returned, including MM. Thiers, Jules Favre, Emile Ollivier, Jules Simon, and Ernest Picard, and in many other districts, such as the Charente, Aisne, Rhône, Seine Inférieure, and Seine-et-Oise, the Government was defeated. The result in the district of Seine-et-Oise was remarkable, as it included Versailles, where there is always kept a large body of troops, and the influence of Government is great; and yet there a distinguished officer of the army, General Mellinet, was beaten by M. Richard, an Opposition candidate who was hardly known.

After the elections were over, the Minister of the Interior, on the 21st of June, again addressed the Prefects in a circular, in which he said :—

“Monsieur le Préfet,—After having received and analyzed your report, and those of your colleagues on the late elections, and after having observed the order and good faith which have presided over all the electoral operations, as well as the liberty with which all candidatures have been brought forward, I am happy to be able to congratulate you on the zeal which you have shown, as well as the sub-prefects, the mayors, and all the agents under your orders, in enlightening the people as to the choice they were called on to make. With the exception of incidents, which on some points have led to protests either on one side or on the other, the peaceable manner in which the late elections were conducted, does the more honour to the country that they were the more disputed. For the first time during the last ten years a coalition was formed between opinions more or less connected with former Governments. On some points, and particularly in the great centres of population, more habitually accessible to the excitements of the press, it has succeeded in surprising universal suffrage; but the immense majority of the country has responded to the appeal of the Government, and has only allowed the coalition a few names to console itself for its defeat. The late elections will, moreover, have a considerable influence on the future of the country. When the Emperor was raised to the throne, amid the acclamations of a whole nation, arriving at power only in his own person, he had no party; but he touched in some points all the parties which existed in the country. For one he represented order, for others unity of power, for others authority and wise liberty, for the greater number the triumph of Democracy, and for all the dignity of France abroad. It is out of those different elements that has been formed what may be called the party of the Government, either in the whole of the agents of public authority, from the Ministers down to the lowest functionaries, or in the constituted bodies, the Chambers, the Councils-General,



and the municipalities. Thus composed, the general organization of the country wanted homogeneity, and it was natural that those different elements, until time had amalgamated them, should feel the effect of their origin. But the late elections will have done more for their cohesion even than time. Attacked on all sides, and resisting all shocks, our political edifice has only become more solid, and in the Chamber as well as in the country the Government party is henceforth constituted. Another considerable result acquired by the late elections is that our institutions, criticized by the Opposition candidates, under the pretence of their requiring to be made perfect, have received from the success of the Government candidates a fresh ratification. What the French people wished by the Plébiscite of 1851, was not only to constitute the Government and liberty on unshakable bases, it was to henceforth renounce the idea of copying, in a democratic country like ours, the aristocratic constitution of a neighbouring nation; it was more particular to condemn the disastrous doctrine which had for result to make the power fall from the hands of Royalty into those of the speakers of the Chamber. The Opposition declared very loudly that during the last ten years the country had changed its feelings, that it aspired not only to perfect and modify the play of our liberties, but to change their essential principles. The country has protested against those assertions. Now that the struggle is over, I recommend you, Monsieur le Préfet, as calm becomes re-established in the public mind, to inspire yourself more and more with those sentiments of moderation which are suited to a strong Government, and to a paternal administration. The Emperor's Government, you are aware, rejects no one. Formed of men of all parties, and constantly recruiting itself from among them, it remains faithful to the mission of uniting them all. It is open to all right-minded men, and only sets aside those who, not accepting the fundamental bases of our institutions, such as they were determined by the Plébiscite of 1851, are from that fact in opposition to the will of the French people."

This, however, was the last act of M. de Persigny's official life; for almost immediately afterwards he resigned his office, or was removed; and several other changes took place in the Ministry, which was finally arranged as follows:—

M. Billault was appointed Minister of State in place of M. Walewski, who resigned; and the "Moniteur" in making the announcement said:—

"The Emperor by the decree of to-day substitutes a Minister entrusted with the mission of representing the relations of the Government with the great bodies of State, with the object of more solidly organizing the representation of the governmental idea before the Chambers without departing from the spirit of the Constitution.

"The Minister of State, who is freed from administrative functions, and the Minister President of the Council of State, with

the assistance of the members of this Council, are henceforth deputed to explain and defend questions placed before the Senate and Corps Législatif."

M. Baroche was appointed Minister of Justice; M. Boudet, Minister of the Interior; M. Duruy, Minister of Education; M. Behir, Minister of Agriculture, Commerce, and Public Works; and M. Rouher, President of the Council of State. M. Drouyn de Lhuys remained as before in the Foreign Office.

M. Billault died rather suddenly in the month of October, and his place was filled up by the appointment of M. Rouher, President of the Council of State, to the post of Minister of State. He was succeeded in his former office by M. Rouland. The Emperor honoured the memory of M. Billault, to whom he seems to have been much attached, and who had his entire confidence, by a public funeral.

On the 4th of November, the Emperor addressed letters to the different Sovereigns of Europe, proposing the assembling of a Congress. That which he sent to the German Confederation may be taken as a specimen of the whole. It was as follows:—

"Most High and Most Illustrious Sovereign Princes and Free Towns which constitute the High German Confederation,—

"In presence of the events which every day arise and become urgent, I deem it indispensable to express myself without reserve to the Sovereigns to whom the destiny of nations is confided.

"Whenever severe shocks have shaken the bases and displaced the limits of States, solemn transactions have taken place to arrange the new elements, and to consecrate by revision the accomplished transformations. Such was the object of the treaty of Westphalia in the seventeenth century, and of the negotiations in Vienna in 1815. It is on this latter foundation that now reposes the political edifice of Europe; and yet, as you are aware, it is crumbling away on all sides.

"If the situation of the different countries be attentively considered, it is impossible not to admit that the treaties of Vienna upon almost all points are destroyed, modified, misunderstood, or menaced. Hence, duties without rule, rights without title, and pretensions without restraint. The danger is so much the more formidable because the improvements brought about by civilization, which has bound nations together by the identity of material interests, would render war still more destructive.

"This is a subject for serious reflection; let us not wait before deciding on our course for sudden and irresistible events to disturb our judgment and carry us away despite ourselves in opposite directions.

"I therefore propose to you to regulate the present and secure the future in a Congress.

"Called to the throne by Providence and the will of the French people, but trained in the school of adversity, I am perhaps bound

less than any other to ignore the rights of Sovereigns and the legitimate aspirations of nations.

"Therefore I am ready, without any preconceived system, to bring to an International Council the spirit of moderation and justice, the usual portion of those who have endured so many various trials.

"If I take the initiative in such an overture, I do not yield to an impulse of vanity; but as I am the Sovereign to whom ambitious projects are most attributed, I have it at heart to prove by this frank and loyal step that my sole object is to arrive without a shock at the pacification of Europe. If this proposition be favourably received, I pray you to accept Paris as the place of meeting.

"In case the princes, allies, and friends of France, should think proper to heighten by their presence the authority of the deliberations, I shall be proud to offer them my cordial hospitality. Europe would see, perhaps, some advantage in the capital from which the signal for subversion has so often been given becoming the seat of the Conferences destined to lay the basis of a general pacification.

"I take advantage of this opportunity to renew to you the assurance of my sincere attachment and of the lively interest which I take in the prosperity of the States of the Confederation. Whereupon, most high and illustrious Sovereign Princes and Free States which constitute the most exalted German Confederation, I pray God to have you in His holy keeping.

"Written at Paris on the 4th of November, in the year of grace 1863.

"NAPOLEON.

"Countersigned, DROUYN DE LHUYS."

The letter of the Emperor addressed to Her Majesty the Queen as *Madame ma Sœur*, was dated the 4th of November, and it led to some diplomatic correspondence between Earl Russell and Earl Cowley, the British Ambassador in Paris. Her Majesty's letter in reply to the Emperor has not been made public, but the substance of it was given in a letter from Earl Russell, dated November 11, which appeared in the "London Gazette." The final decision of the British Government was to decline the invitation to take part in the proposed Congress, and this was communicated by Earl Russell in a letter to Earl Cowley, dated November 25. The Emperor had indicated the principal questions which, if the Congress were assembled, "the Powers would doubtless judge it useful to examine and decide," and they related to Poland, Denmark and Germany, the Danubian Principalities, Austria and Italy, and the occupation of Rome. Lord Russell, in his despatch, reviewed the difficulties attending the discussion of these questions, and concluded by saying—

"Were all these questions—those of Poland, Italy, Denmark,

and the Danubian Provinces—to be decided by the mere utterance of opinions, the views of Her Majesty's Government upon some of them might perhaps be found not materially to differ from those of the Emperor of the French.

“But if the mere expression of opinions and wishes would accomplish no positive results, it appears certain that the deliberations of a Congress would consist of demands and pretensions put forward by some and resisted by others; and there being no supreme authority in such an assembly to enforce the decisions of the majority, the Congress would probably separate leaving many of its members on worse terms with each other than they had been when they met. But if this would be the probable result, it follows that no decrease of armaments is likely to be effected by the proposed Congress. . . . Not being able, therefore, to discern the likelihood of those beneficial consequences which the Emperor of the French promised himself when proposing a Congress, Her Majesty's Government, following their strong convictions, after mature deliberation, feel themselves unable to accept His Imperial Majesty's invitation.”

That there was a good deal of force in Lord Russell's reasoning we are not prepared to deny; but we may be allowed to doubt whether the British Government acted wisely in giving so peremptory a refusal to the proposal of the Emperor. The discussion in a Congress of questions which are threatening the peace of Europe was not likely to do so much mischief as the leaving them to be determined by diplomatic correspondence or the force of events. The first has proved abortive, and the second points, we fear, too surely to war and insurrection. Nor ought the fact to be disregarded, that by declining the Emperor's invitation we have given him a pretext for laying the blame of future troubles upon those who refused to join in an attempt to obtain a peaceful solution of existing difficulties which *might* have been successful. And, beyond all doubt, the language of the refusal might have been more courteous and considerate.

The Emperor of Russia sent the following reply:—

“Monsieur mon Frère,—While admitting the sad state of affairs in Europe and the usefulness of an agreement between the Sovereigns to whom the destinies of nations is entrusted, your Majesty expresses an idea which has always been my own. I have made it more than the object of a wish; I have found therein the line of conduct I have followed. All the acts of my reign prove my desire to substitute relations of confidence and good will instead of a state of armed peace which weighs so heavily upon nations. As soon as I could do so, I took the initiative in making a considerable reduction in our military establishments. During six years I have relieved my empire from the obligation of recruiting, and I have undertaken important reforms, pledges of progressive development at home and of a peaceful policy abroad.

“It is only to meet events which might threaten the safety and



even the integrity of my States that I was obliged to deviate from that path. My most lively desire is to return to it, and to spare my people sacrifices which their patriotism accepts, but from which their welfare suffers.

“Nothing can better hasten this moment than a general pacification of the questions which agitate Europe. Experience testifies that the two conditions of the repose of the world exist neither in an impossible immobility nor in the instability of political combinations which each generation will be called upon to annul and reconstruct on the impulse of the passions or interests of the moment, but rather in the practical wisdom which imposes upon all respect for established rights, and counsels all upon the transactions necessary to reconcile history, which is an ineffaceable legacy of the past, with progress, which is a law for the present and the future.

“Under these conditions, a loyal understanding between the Sovereigns has always appeared to me desirable. I should be happy if the proposition issued by your Majesty may lead to it. But, in order that it may be practical, it can only proceed from the consent of the other Powers, and to obtain this result I believe it indispensable for your Majesty to define clearly the questions which, in your opinion, should be the subject of an understanding, and the bases upon which this understanding would have to be established. I can in any case assure your Majesty that the end which you pursue, that of arriving without shock at the pacification of Europe, will always secure my strongest sympathy.”

The Queen of Spain gave her ready adhesion to the scheme, and said :—

“I agree with your Majesty that the treaties of 1815 are attacked by the debility produced by time and use, besides the forced influence of serious events, which in many cases have resulted in notorious and capital infractions of their letter and spirit. . . .

“Consequently, if your Majesty’s idea be realized by the assembling of the European Powers in a pacific Congress, I do not hesitate to afford your Majesty the assurance, in concert with my Government, that Spain will participate therein, either at Paris or any other point that may be selected for the deliberations, and that Spain will cause her voice to be heard in words of justice, peace, and concord, contributing within the limits of her conciliatory councils to the pacific solution of the serious questions which the Congress has in view, in order to consolidate peace and tranquillity in the Old and New World.”

The Emperor of Austria said in his reply :—

“The success of every enterprise depends in a great measure upon the manner in which it is undertaken, and the plan which has been marked out. The greater the difficulty of the enterprise, and the more it demands the co-operation of various forces and wills, the more urgent it becomes to have a clear understanding upon the point of departure, to define the object and means of action held

in view, to determine beforehand, in fact, the line of conduct that will be followed. These conditions appear to me to essentially affect the success of the work that your Majesty desires to essay, and to which you invite me.

"Before joining it, I, therefore, deem it indispensable to be enlightened upon certain preliminary points. In a word, I should wish to know, with some accuracy, the bases and programme of the deliberations of the Congress which would assemble.

"In specifying beforehand the questions to be examined by the Congress, and agreeing upon the direction to be given to its labours, unforeseen obstacles that might compromise every thing would be avoided; this course would also remove dangerous and almost insolvable problems, which, unexpectedly raised, would only envenom the debates and give rise to fresh complications, instead of obviating those which already exist."

The King of Prussia hinted at the same objection he had taken to the Congress of Sovereigns assembled at Frankfort by the Emperor of Austria in the course of the present year, namely, that the measures to be discussed ought first to be submitted to the responsible Ministers of the respective States. He said:—

"During the course of the last half-century the treaties of 1815 have necessarily undergone modifications which the irresistible influence of time and events exercises upon human institutions. Nevertheless, those treaties still continue to form the foundation upon which the political edifice of Europe actually rests. It will, therefore, be a task worthy of the efforts of all Governments interested in the maintenance of order and of peace to consolidate that foundation, to provide for those portions which have been destroyed or which will have to be abolished, and to give additional guarantees to such enactments as may be misunderstood or menaced. In such a work I will join with all my heart, and in perfect liberty only to consult my own solicitude for the general interests of Europe, because, as Prussia has never outstepped the limits of treaties, she has no direct interest in provoking or declining the meeting of a Congress. Such a position enables my Government to lend its impartial and disinterested support to establish between the Powers convoked a preliminary understanding, upon the principles of the Congress, and to obviate by prudent negotiations the difficulties which might cause germs of discord in a work of conciliation and of peace. To this effect my Government will be happy to receive any overtures your Majesty may think fit to make respecting preliminary views.

"I thank your Majesty for the hospitality which you have kindly offered me, and I am sure I should meet with a welcome at Paris, which renders so dear to me the remembrance of my sojourn at Compiègne; but it is rather for our Ministers united in council to enlighten by their discussions and to prepare for the sanction of the Sovereigns the proposals which will be submitted to the Congress."

His Holiness the Pope accepted the proposal with thankfulness and gratitude. He said:—

“Imperial Majesty,—The thought which your Majesty expresses of being able to establish without shock in Europe—with God’s blessing elsewhere also!—with the concurrence of the Sovereigns or of their representatives, a system which calms men’s minds and restores peace, tranquillity, and order to the numerous countries where, unhappily, these benefits are lost, is a design which greatly honours your Majesty, and which, with the co-operation of all, assisted by Divine grace, would produce the best results. We co-operate, therefore, in so laudable a project in a perfectly cordial spirit, and can now earnestly assure your Majesty that all our moral support will be afforded to the Congress, in order that the principles of justice, in these days so much misunderstood and trodden under foot, may be re-established to the advantage of society in its present agitated state, that violated rights may be admitted in order to be asserted in favour of those who have had to suffer by their violation, and especially in order that the real pre-eminence which belongs naturally to the Catholic religion, as being the only true one, may be re-established, especially in Catholic countries.

“Your Majesty cannot hesitate to believe that the Vicar of Jesus Christ, either from the duties of his sublime representation, or from the conviction he entertains that in the Catholic faith, in conjunction with practice, is to be found the sole means proper to moralize the peoples, cannot in the midst of Congresses, even political ones, fail in his obligation to sustain with the greatest rigour the rights of our most august religion, which is one, holy, catholic, apostolic, and Roman.

“The confidence which we express of seeing violated rights vindicated springs from the conscientious duty imposed upon us by their guardianship. In showing ourselves full of solicitude on the subject of these rights, we do not wish your Majesty ever to suppose that we could entertain any doubt with regard to those appertaining to this Holy See, since, besides the other motives which militate in its favour, we have also the assurances which your Majesty has several times given, and caused to be given publicly, assurances which it would seem to us offensive to doubt, coming from so high and powerful a Sovereign.

“After this preliminary explanation, which has seemed to us all the more opportune that we better understand your Majesty’s views, we are happy to add that we applaud material progress, and desire besides that nations should be in a position to enjoy peaceably their property, as much for the profit that they derive therefrom as for the occupation which it gives them. We could not say as much in the case of our being invited to satisfy certain aspirations of some fractions of these nations—aspirations which cannot be reconciled with the principles above enunciated.”

The new King of the Greeks, and the new King of Denmark, as-

sented "without reserve;" and the answers of the Kings of Hanover and Bavaria were equally favourable. In the name of the Germanic Confederation, the Austrian Minister and President of the Diet, Baron Von Kubeck, said :—

"Called upon by its fundamental treaties to be principally directed by pacific views, the Germanic Confederation could not refuse its support to a project tending to assure the peace and order of Europe.

"Although frankly adhering to the pacific idea of your Majesty, the Sovereign Princes and free cities of Germany could not concur with a hope of success in the realization of this project, unless the treaties which established the Germanic Confederation as well as the political edifice of Europe were considered as the basis of the negotiations.

"Without ignoring that even the most solemnly concluded treaties cannot remain unaltered in the midst of the irresistible course of history, a pacific policy could not disavow the principle that no modification or cancelling of a treaty can be effected without the consent of the parties interested. It is this principle which will point out the rule of duties, the title of rights, and the curb of pretensions which, with so just and penetrating an eye, your Majesty has deemed necessary to tranquillize Europe.

"This basis for negotiation once adopted, it will be possible to designate beforehand, with the consent of the parties interested, the international questions which the Congress will undertake to regulate, and to afford Europe the assurance that, far from being the source of fresh differences, it will put an end to those which exist."

The Swiss Confederation, after stating that they "accepted with eagerness the overtures your Majesty has deigned to make," said :—

"Existing treaties proclaim the inviolability, the neutrality, and the independence of our territory. The clauses referring to it have not been affected, and the people—scrupulously observing its international obligations—have maintained and defended at the price of the greatest sacrifices the guarantees which have been secured. These guarantees thus form part of the true interests of Europe, and the great Powers cannot but recognize, now as formerly, their permanence and their necessity.

"Ready to participate, in the name of the Swiss Confederation, in the solemn deliberations which are announced, we consider it our duty to express to your Majesty our gratitude for your loyal appeal, and cherish the hope that we may have your Majesty's efficacious support in questions touching our country."

The Emperor opened the Session of the New Chambers on the 5th of November with the following speech :—

"MESSIEURS LES SÉNATEURS,

"MESSIEURS LES DÉPUTÉS,—

"The annual assembly of the great bodies of the State is always



a happy opportunity for bringing together the men who are devoted to the public welfare, and for manifesting the truth to the country. The frankness of our mutual intercourse calms anxiety and strengthens our resolutions. I, therefore, bid you welcome. The Legislative Body has been renewed a third time since the foundation of the Empire, and for the third time, in despite of some local dissents, I can only congratulate myself upon the result of the elections. You have all taken the same oath to me: that is a guarantee to me of your support. It is our duty to attend to the affairs of the country promptly and well, remaining faithful to the Constitution which has given us eleven years of prosperity, and which you have sworn to uphold.

“The *exposé* of the situation at home will show to you that, despite the forced stagnation of labour in certain branches, progress has not been slackened. Our industry has contended successfully against foreign competition, and, in presence of undeniable facts, the fears engendered by the Treaty of Commerce with England have vanished. Our exports during the first eight months of the year 1863, compared with those of the corresponding months of the year 1862, show an increase of 233,000,000*f*. During the same period our shipping trade shows an excess over that of the preceding year of 175,000 tons, of which 136,000 are under the French flag. The abundant harvest of the present year is a blessing of Providence, which will assure to the population a cheaper price of food. It is also a proof of the prosperity of our agriculture.

“Public works have been actively carried on. About 1000 kilometres of new lines of railway have been thrown open to traffic; our ports, our rivers, our canals, our high roads have been continually improved. As the Session has met earlier than has been customary, the report of the Minister of Finance has not yet been published. It will be produced shortly. You will find therein that, if our expectations have not been fully realized, the revenues have followed a continuous rise, and that without extraordinary credits we have been able to meet the expenses caused by the war in Mexico and in Cochin China. I shall have to point out to you various reforms which are deemed advisable; among others, one relating to the freedom of the baking trade, one which will render the maritime conscription less onerous to the populations on the coast, a project for modifying the law on joint-stock companies, and one for suppressing the exclusive privileges for theatres. I have also ordered a Bill to be taken into consideration with a view to increase the powers of the general and communal councils, and to remedy the excess of centralization—in fact, to simplify administrative formalities, to modify the laws applicable to the classes deserving of all our solicitude. This will be a step in advance to which you will gladly associate yourselves.

“The sugar question will also be submitted to your consideration, a question which stands in need of a final solution by a more distinct enactment. The project submitted to the Council of State

tends to grant to home produce the facility of exportation which is granted to sugars of other parts. A Bill on registration will abolish the *double décime*, and will replace that impost by a more equitable repartition.

"In Algeria, despite the anomaly which subjects the same populations, some to the civil, some to the military authorities, the Arabs have learnt to understand the mild and equitable sway of the French rule, while the Europeans do not place the less confidence in the protection of the Government.

"Our ancient colonies have seen removed the barriers which obstructed their transactions, but circumstances have not been favourable to the development of commerce.

"The recent establishment of credit institutions will, I trust, improve the state of affairs. In the midst of these material considerations, nothing has been neglected which concerns religion and public morals. Religious and benevolent institutions, science and public instruction, have received great encouragement.

"Since 1848 the population of the schools has increased one quarter. At the present day nearly 5,000,000 children (one-third of them gratuitously) are admitted into the primary schools; but our efforts must not be slackened, as there are still 600,000 devoid of instruction. The higher class of studies has been encouraged in the secondary schools, where special instruction is under reorganization.

"Such, gentlemen, is the substance of what we have already done, and of what we still intend to do. Assuredly, the prosperity of our country would advance still more rapidly if political anxieties did not disturb it; but in the life of nations unforeseen and inevitable events occur which must be boldly and fearlessly faced, and met without shrinking. Of this number is the war in America, the compulsory occupation of Mexico and of Cochin China, the insurrection of Poland. The distant expeditions which have been the subject of so much criticism have not been the result of any premeditated plan; they have been brought about by the force of circumstances; and yet they are not to be regretted. How, in fact, could we develop our foreign commerce if, on the one hand, we were to relinquish all influence in America; and if, on the other, in presence of the vast territory occupied by the Spaniards and the Dutch, France was to remain alone without possessions in the seas of Asia? We have conquered a position in Cochin China which, without subjecting us to the difficulties of the local government, will allow us to turn to account the immense resources of those countries, and to civilize them by commerce. In Mexico, after an unexpected resistance, which the courage of our soldiers and of our sailors overcame, we have seen the population welcome us as liberators. Our efforts will not have been fruitless, and we shall be largely rewarded for our sacrifices when the destinies of that country, which will owe its regeneration to us, shall have been handed over to a Prince whose enlightenment and high qualities

render him worthy of so noble a mission. Let us, then, put faith in our expeditions beyond sea. Commenced to avenge our honour, they will terminate in the triumph of our interests; and if prejudiced minds will not see the good promise of the seed sown for the future, let us not tarnish the glory achieved, so to say, at the two extremities of the world—at Peking and in Mexico.

“The Polish question needs a fuller explanation. When the Polish insurrection burst out, the Governments of France and of Russia were on the most friendly footing. Since the conclusion of peace they were always agreed upon the great European questions, and I do not hesitate to declare so.

“During the war in Italy, as well as at the time of the annexation of Nice and of Savoy, the Emperor gave me his most sincere and cordial support. This good understanding demanded forbearance, and it was only the Polish question, very popular in France, that could induce me not to hesitate to compromise one of the first alliances of the Continent, and to raise my voice in favour of a nation rebellious in the eyes of Russia, but, in ours, heirs to a right inscribed in history and in treaties. Nevertheless, this question touched upon the most serious European interests. It could not be treated by France alone. An insult to our honour or a menace against our frontiers alone imposes upon us the duty of action without preliminary concert. It therefore became necessary, as at the time of the events in the East and in Syria, for me to come to an understanding with the Powers who had equal rights and similar reasons as ourselves to express an opinion. The Polish insurrection, which from its duration assumed a national character, aroused sympathy on every side, and the aim of diplomacy has been to attract to its cause as much adhesion as possible, so as to bring to bear upon Russia all the pressure possible of the public opinion of Europe. This almost unanimous expression of wishes appeared to us to be the best means of persuading the Russian Cabinet. Unfortunately our disinterested counsels have been interpreted as an attempt to intimidate; and the steps taken by England, Austria, and France, instead of putting a stop to the struggle, have only tended to embitter it. Excesses are being perpetrated on both sides, which, in the name of humanity, must be equally deplored. What, then, is to be done? Are we reduced to the sole alternative of war or of silence? No. Without having recourse to arms, and without remaining silent, one means remains to us: it is, to submit the Polish question to a European tribunal. Russia has already declared that conferences at which all the other questions which agitate Europe shall be discussed would in no wise offend her dignity. Let us take note of that declaration. Let it serve us to extinguish once for all the ferments of discord which are ready to burst forth on every side, and from the disquietude itself of Europe, which in every quarter is mined by the elements of dissolution, let a new era of order and of peace arise. Has not the moment arrived to rebuild on new foundations the edifice destroyed by the hand of

time, and piecemeal by revolutions? Is it not urgent to recognize by new conventions that which has been irrevocably accomplished, and to carry by common accord what the peace of the world requires? The treaties of 1815 have ceased to exist. The force of circumstances has upset them, or tends to upset them. They have been discarded nearly every where—in Greece, in Belgium, in France, in Italy, as upon the Danube. Germany is agitating to alter them, England has generously modified them by the cession of the Ionian Islands, and Russia treads them under foot at Warsaw. In the midst of these successive infringements of the fundamental European pact, ardent passions become over-excited, powerful interests demand solution in the South as well as in the North. What, then, can be more legitimate and more sensible than to convoke the Powers of Europe to a Congress, in which self-love and resistance would disappear in face of a supreme arbitrament? What can be more in conformity with the ideas of the age, with the wishes of the greatest number, than to address ourselves to the conscience, to the reason, of statesmen in all countries, and to say, Have not the prejudices and rancour which divide us already lasted long enough? Is the jealous rivalry of the great Powers incessantly to obstruct the progress of civilization? Shall we be constantly casting defiance at each other by exaggerated armaments? Are our most precious resources to be indefinitely exhausted in vain ostentation of our strength? Shall we eternally preserve a position which is neither peace with its security nor war with its chances of success? Let us no longer give factitious importance to the subversive spirit of extreme parties by opposing ourselves with narrow calculations to the legitimate aspirations of nations. Let us have the courage to substitute a regular and stable state of affairs for an unhealthy and precarious condition, even if it should cost sacrifices. Let us meet without a preconceived system, without exclusive ambition, animated by the sole thought of establishing an order of things based henceforth upon the well-understood interest of the sovereigns and of the peoples.

“I cannot but believe that this appeal would be listened to by all. A refusal would lead to the supposition of secret projects which fear the light of day; but even if the proposal should not be unanimously adopted, it would have the immense advantage of having shown Europe where lies danger and where safety. Two ways are open: the one leads to progress through conciliation and peace; the other, sooner or later, conducts fatally to war, by the obstinacy of maintaining a past which is rolling away.

“You know now, gentlemen, the tone which I propose to adopt towards Europe. Approved by you, sanctioned by the public assent, it cannot fail to be listened to, for I speak in the name of France.”

From the official statement of the situation of the Empire, made up of reports sent in from the different Ministerial departments,



and distributed amongst the members of the Chambers, we extract the passages which are of chief interest with reference to the questions now agitating Europe.

First, as regards Poland.

“At the opening of the last Session of the great bodies of the State, the Emperor’s Government congratulated itself on the general situation of Europe. If some difficulties existed on different points of the Continent, there was nothing to lead to the anticipation of speedy complications, and in particular nothing to announce that the Polish question was on the eve of again forcing itself on the attention of the Cabinets. For the last two years a certain degree of agitation prevailed in Poland, but no project of a rising manifested itself; every thing, on the contrary, appeared to show that a recourse to arms no more entered into the calculations of the men invested with the confidence of the country than into the wishes of the people. The recruitment, transformed into a measure of proscription, drove to despair those whom it threatened to affect, and conflicts broke out simultaneously on several points. The question, however, did not present itself except under the aspect of a purely local movement caused by a determinate cause of complaint. The convention signed at St. Petersburg on the 8th of February, by which, under the pretext of maintaining order on the frontier, Prussia bound herself towards Russia to co-operate in a certain degree in the repression, gave to the struggle an international character, and obliged the Cabinets to occupy themselves with it. The Polish question is essentially European, for it cannot put itself forward without involving the most important interests. France signed the documents under the protection of which Poland has been placed, and French sympathies have never been wanting to that nation in her former trials. It is a tradition which the Emperor’s Government could less avoid deferring to than any other. England had the same rights and the same reasons for interfering. The French Government, therefore, applied to that Power to come to an understanding, in order to represent in concert to the Cabinet of Berlin the danger of her intermeddling in an affair of which she was so unfortunately extending the importance. We, moreover, were aware that Austria regarded the engagements concluded at St. Petersburg in the same light as ourselves. The Emperor’s Government made known to her its intentions. The Cabinet of Vienna had already expressed its sentiments to Prussia and to Russia when they solicited her adhesion to those arrangements. The proceedings adopted with the Prussian Court had for result to obtain explanations which lessened the fear which had been entertained of seeing her take an active part in the hostilities. When we had to make known our views at Berlin, we took care to avoid any isolated action, and also to prevent any false interpretation. The nature, however, of our relations with Russia authorized and induced us at the same time to attempt with her

the plan of personal efforts and friendly counsels before coming to official communications and a combined action. The French Government had not waited, in order to give prudent advice, to be constrained to it by urgent necessity. In 1857 His Majesty, wishing to avail himself, in the interest of order and of peace, of the confidence which so happily united the two Cabinets, felt himself induced by the sincerity of his esteem and of his friendship for the Emperor Alexander to recommend the state of Poland to the solicitude of the Court of Russia. Such language was worthy of being understood by the Sovereign who was about to give, in the emancipation of the serfs, so striking a proof of his prudence. Facts have since too strongly shown the opportuneness of those suggestions, and testify every day how much it is to be regretted that they were not listened to. His Majesty's Government, in presence of the conjunctures which have justified its provisions, considered it as a duty not to conceal its anxieties from Russia. It pointed out with unreserved frankness our perplexities in the midst of events of which the public opinion of the country, as well as the general interests of Europe, would not allow us to remain indifferent spectators. The French Ambassador was instructed to point out, in terms the most conformable to the friendly relations of the two Governments, the advantages of a policy of reparation and of progress. The English Government, in a despatch addressed at that time to its representative at St. Petersburg, recommended a general amnesty and the restitution of the privileges granted to the Poles by the Emperor Alexander I. The French Cabinet could not but approve of the applications, which to a certain point entered into the more general order of ideas which it also entertained; but in order to leave to Russia the merit of entire spontaneousness, it abstained from directly supporting them. The English Cabinet having afterwards proposed to invite the parties who signed the general Treaty of Vienna to express similar wishes, the Government of His Majesty announced its intention of adhering to that proposal only in case of its obtaining the assent of the other Powers. We had pointed out to the Russian Cabinet the interest it had in anticipating diplomatic representations by resolutely assuming the initiative. But we had not obtained any promises—any assurance that would allow us to hope for a satisfactory result from a longer personal pressure. It became necessary to adopt another course. The Government of Her Britannic Majesty had preceded us in its communications with the Russian Cabinet. Austria, without viewing events in the same light as England, continued to observe a well-disposed neutrality as to the Poles. The Emperor's Government accordingly flattered itself with the hope of forming between the three Courts an understanding which would ensure to their measures the European character required by the nature of the interests at stake, and at once unite all the guarantees of moderation and force. The Cabinet of London in its first com-

munication had taken the treaties of 1815 as a starting-point. Russia had made a precise reply by contesting the interpretation given to them by the principal Secretary of State; she confined herself, as a method of pacification, to speaking of an amnesty after the war, and promising not to withdraw any of the concessions she had made. The French Government doubted the success of any measure based exclusively on those treaties, and thought that matters should be viewed from a higher ground. The acts of 1815 assuredly conceded precious advantages to the Poles, in reviving the Polish name, in stipulating for her national institutions, and in establishing certain links between all the parts of the kingdom as it existed before the first partition. But those arrangements have not prevented the recurrence of commotions which periodically menace the repose of Europe. Without denying that the treaties offered to the Cabinets a legal motive of intervention, the French Government thought that it would be proper to invoke principally the interests of European order common to all the Powers. The two Cabinets appreciated these considerations; and the Emperor's Government made them the subject of a despatch to the French Ambassador at St. Petersburg. The despatch concluded by signalizing the opportunity of considering the means of placing Poland in the conditions of a durable peace. Austria, while alleging special interests as a Power conterminous and more exposed to the influence of these disturbances, held a language similar to our own. England, without abandoning her first argument on the treaties, reproduced in a briefer form the ideas which we had developed. The greater part of the States of Europe gave their adhesion to them, and thus stamped the communications of the three Courts with the character of a veritable European manifestation. Russia appeared to receive these overtures with favour. Although she endeavoured to cast the responsibility of the Polish movement on encouragements from without and revolutionary intrigues, she recognized the extent of the evil and the inefficacy of the measures adopted up to that time to provide a remedy. She neither contested the general interests engaged in the Polish question, nor the special interests of conterminous States. She did not decline the competence of the Governments who signed the final act of the Treaty of Vienna, but appeared, on the contrary, to accept their assistance for a deliberation, the bases of which she invited the three Powers to communicate. England was of opinion that the negotiations should be preceded by an armistice, in spite of the difficulties which its execution might encounter. The idea of stopping as soon as possible the effusion of blood was too conformable to the feelings of the French Government not to obtain its approbation; and while itself acquiesced, it recommended the same to the Court of Austria. The Cabinet of Vienna, on its part, drew up a programme in six articles, the principal object of which was to claim for Poland institutions similar to those of

Galicia. Judging these *data* insufficient, the French Government introduced notable modifications in them, and for the sake of a good understanding agreed to admit the programme, but only as a starting-point for the conferences. We had, besides, attached much value to an appeal made to the whole of Europe to participate in the negotiations. France has constantly declared that she will always be found ready to enter on such discussions in the full light of day. The three Courts, in the communications which they a second time directed to their Ambassadors, had not succeeded in avoiding certain shades of expression which could not escape the attention of Russia. It might have been foreseen that that Power would seek to derive profit from the apparent diversity of views. In order to parry that danger as much as possible, the French Government made to the Vienna and London Cabinets a proposal to consolidate the accord by taking, in the form of a convention or a protocol, an engagement to pursue in concert a regulation of Polish affairs, by diplomatic methods or otherwise, if necessary. Such an engagement, besides the immediate advantage of exalting the authority of the language of the allied Courts, would have offered to that Power whose position required most consideration the guarantees of a complete solidarity in all eventualities. We were persuaded that the surest method of preventing complications was to show ourselves ready to meet them with all the firmness required, and that conflicts between Governments took their origin not so often in bold resolutions as in protractions and hesitations that allowed difficulties to become aggravated. Our proposition was not accepted. The Russian Court replied to the programme of the three Powers by an absolute refusal. She promised to take the six points into consideration, but only when the insurrection was suppressed. She rejected all idea of a suspension of arms, and declining the competency of the Powers which signed the general act of 1815, which she had previously admitted, she proposed to open with Austria and Prussia, as participating Powers, a separate negotiation. The Vienna Cabinet rejected that proposal without hesitation, as being contrary to her duties to the two other Powers, and gave explanations at St. Petersburg with a spontaneousness and a frankness which did honour to her sincerity. The French Government at the same time expressed at London and Vienna the painful impression it had felt on receiving the replies of Russia. The three Cabinets addressed fresh communications to St. Petersburg, the conclusions of which were conceived in identical terms. They unanimously declared Russia to be responsible for the consequences which might arise from a refusal to take their representations into account, and from the prolongation of the troubles in Poland. The last despatches of Prince Gortschakoff are well known. Notwithstanding the little success of the diplomatic intervention of the three Powers, the Emperor's Government has the satisfaction of knowing that it has, from the moment in which the Polish question was brought



forward, in the measure of its rights and its duties towards England, neglected nothing to arrive at a solution. Ever attentive to the painful spectacle of the struggle which is going on in Poland, it loses sight of none of the great interests which are connected with that conflict. It will maintain its accord with England and Austria, and it cannot believe that the union of the Cabinets, in an affair so worthy of their solicitude, must remain sterile. We have not, however, the pretension to impose our solutions on the Powers interested, as much or even more directly than ourselves, in the settlement of the existing difficulties. In a question essentially European it is neither in conformity with our obligations or our rights to incur alone a responsibility which it is the duty of all to partake."

The Danish dispute was thus touched on:—

"The affair of the Duchies of the Elbe has continued to be a subject of discussion between the Court of Copenhagen and the Germanic Confederation. The Danish Government having adopted for the constitutional reorganization of the monarchy certain dispositions which the Frankfort Diet did not consider conformable to its anterior resolutions and the engagements made by Denmark, the German Cabinets have agreed to have recourse to a military occupation of the Duchy of Holstein by the Federal troops. Without contesting in principle the right of Germany to intervene in the affairs of Holstein and Lauenberg, which form part of the Germanic Confederation, the Cabinet of Copenhagen alleges that having accorded to the pretensions of the States of Holstein all the satisfaction compatible with the rights of the Crown, the Federal execution is not justified by any legitimate motive. Consequently the only object of that measure was in reality to compel Denmark to place the Duchy of Schleswig, a Danish province, under a political and administrative *régime* which would be an infringement on the integrity of the monarchy. His Majesty's Government has not seen without regret a dispute, which its counsels had always tended to adjust, become envenomed. Guided at the same time by the traditional sympathies of France towards Denmark, and by the neighbourly feelings which preside in her relations with Germany, we have redoubled our efforts to cause counsels of prudence to prevail, and to turn aside an imminent crisis. A conflict could not arise without the Scandinavian States, which are more directly interested in the maintenance of the balance of power in the North of Europe, being brought to take a share in the struggle, and without giving rise to grave complications in which the powers which signed the Treaty of London of 1852 would be implicated. Our co-operation is assured beforehand to any combination which would have the effect of preventing such eventualities, and we are inclined to hope that the wisdom of the two parties will prevail against excitements which are to be regretted. Germany is besides occupied with other cares. The Sovereigns assembled at Frankfort have given the highest sanction to the efforts attempted with the object of modifying the internal

*régime* of the Confederation by associating themselves in the study of the best means of attaining that object. All that can contribute to the development and happiness of a great neighbouring nation, with which we maintain the best relations, cannot be indifferent to us. We therefore watch those attempts with a friendly attention, with the desire to see Germany obtain from them the advantages which she expects, and which she well knows how to conciliate with European interests and with the international rights which are connected with the constitution of the Germanic Confederation."

Rome and Italy are thus spoken of:—

"At the commencement of the present year the French Government remarked with satisfaction the calm which had succeeded in Italy to the excitement caused by the Roman question. Men's minds in that country do not, however, yet appear sufficiently disposed to grant the reciprocal concessions which require, on the one hand, a respect for rights, and, on the other, regard to the necessities of the age, for the work of conciliation to be resumed with any hopes of success. In the particular position in which events had involved the French Government, the greatest service it could do to the Italians was to remain inaccessible to the divers passions which were in agitation around it. The Emperor's Government is conscious of having laboured in such a manner, so far as was in its power, to prepare for the future. Those adjournments have not been without advantage to Italy. Adopting the generous intentions of the Sovereign Pontiff, the Roman Government has endeavoured to realize some of the reforms demanded in the administration of the States of the Church. We have reason to hope that that task will be continued. The Italian Government on its side has applied itself to organize the new kingdom, to develop its resources, to constitute its military state, to repress brigandage with our loyal co-operation, and to discourage those feelings of impatience to which it was resolved not to yield. There is reason to believe that those fortunate influences will tend to dissipate suspicions, and give rise to feelings more favourable to a reconciliation."

As regards the civil war in North America the report states:—

"The sad previsions suggested by the exasperation of the struggle carried on during three years in the United States have been but too much realized. Blood has continued to flow, while the respective situations of the belligerents do not yet allow us to anticipate a period to this terrible crisis. In presence of such an accumulation of ruins, and such a sacrifice of life in a struggle hitherto fruitless, we have felt profound regret that the proposition which we made at London and at St. Petersburg, to unite in provoking an armistice, was not accepted. Compelled to renounce that project by a double refusal, we have, however, declared that our desire to contribute to the re-establishment of peace in any form would not be the less lively and sincere. We have given proof of this by suggesting the idea of substituting for the project of an amicable intervention of the maritime Powers the expedient of direct

messages between the Government of the United States and the Confederates of the South. This new attempt has not been more fortunate than the preceding. From that time we have had nothing left but to follow out the line of conduct adopted ever since the beginning of this war by the Government of the Emperor. This we have striven to do with scrupulous care under all circumstances. We have remained neutral and well disposed, although it has often been difficult for us to reconcile this part with our duties towards our fellow-countrymen. Independently of the sufferings which, in our departments, are the consequence of the American crisis, hostilities on the territory of the Union itself have occasioned considerable detriment and loss to French residents. They have often had occasion to make just complaint of the abusive proceedings of the civil and military authorities. Our countrymen must understand that their interests, like those of other foreigners, cannot claim an exceptional security in the midst of the tumult of arms, and that in such cases all ordinary guarantees necessarily lose something of their efficacy. Moreover, a state of war imposes inevitable fetters on the commerce of neutrals. If the progress of liberal doctrines tends to relax them, it cannot wholly suppress them. The Cabinet of Washington has been able to satisfy itself that we have made, in our reclamations, a large allowance for these difficulties. But the Government of the Emperor cannot disguise its pain at seeing so many aggrieved interests, well deserving of its care, making a vain appeal for protection."

With respect to Mexico the following passage occurs:—

"We congratulate ourselves on seeing our ideas shared by the eminent Prince whom Mexico calls to inaugurate its new destinies. The fortune of France and the blood of her soldiers belong to France only. An evident and imperious French interest could therefore alone determine the Emperor's Government to engage in an undertaking of which it had beforehand weighed the sacrifices and difficulties. It had, moreover, foreseen the salvation of Mexico as a possible consequence of the military expedition to which it was constrained. The public feeling of the country and the wisdom of the Archduke Maximilian justify all our hopes in this matter. In an early future we expect to receive from the new Government of Mexico the guarantees which have been wanting to our interests under all the Governments which preceded it. For the moment, important questions necessarily remain to be settled as concerns ourselves; for the military result of our expedition has only prepared the ground for ulterior negotiations. The Emperor's Government will devote all its attention to them."

At the sitting of the Corps Législatif on the 11th of December, there was an animated discussion on the question of some contested elections, but the chief interest in the debate was the speech of M. Thiers, who, after so long an absence from the Chamber, had now returned to take his part in parliamentary conflicts as of old,

and his clear logic and incisive oratory were once more heard from the tribune.

M. Jules Simon, one of the Opposition members returned for Paris, had asked for an adjournment of the case of M. Noubel—a deputy against whom there was a very serious protest by a M. Baze—on the ground of the absence, through illness, of M. Marie, who was to have supported the protest. M. Simon alleged that there were thirty-five documents in proof of the facts alleged in the protest, and that they would be in the hands of members on the morrow.

M. Pissard (reporter to the Committee on the Returns) said, It is true there are thirty-five documents; the bureau has examined them all carefully, and it was of opinion—without feeling it necessary to hear the testimony of either M. Baze or M. Noubel—that there was nothing in them.

M. Thiers.—I wish to make a simple observation. Why did the bureau, making an exception to the general rule, refuse to hear M. Baze and M. Noubel? Allowance ought to be made for the difference between the situation of those who, being in the Chamber, can offer explanations, and those outside, who cannot.

M. Creuzet.—M. Baze did not ask to be heard by the bureau; he only said he was ready to be heard if called upon. The bureau thought itself sufficiently informed about the case without calling for his evidence, that is all.

M. Thiers.—No other election presents so grave a fact as that which we have here—a suspension of the course of justice. I am not prepared to discuss the whole report on this election. I merely point out one very serious fact, which is treated in the report with an indulgence unworthy of the dignity of this Chamber. The case is this. M. Baze's placards were torn down by order of the mayor in the commune of St. Front, and that was a violation of the law. M. Baze thereupon obtained an order from the President of the Tribunal that the mayor should appear before him to show cause why he should not be compelled to post M. Baze's bills. But M. Baze could get no *huissier* to serve the process upon the mayor, because the Procureur-Impérial had ordered all the *huissiers* not to act for M. Baze until June 2, which was the day after the election. Well, you would have the law respected in the country, and yet you treat with indifference a fact like this, which is nothing less than the suspension of the course of law in France. The Procureur-Général and the Minister of Justice have both censured the illegal act, and now the report treats it as just nothing at all. The bureau would not hear M. Baze. That fact is certain. I will assume that the bureau thought itself sufficiently enlightened, but I must observe that it is the only bureau which has refused to hear explanations. I repeat that I am not prepared to go into the case fully. M. Marie, who would have done so, is absent from indisposition; but I call the attention of the Chamber to



this serious interference with justice, and I thus free my own responsibility.

M. Pissard.—The reporters said that the judge's order only appointed a hearing for June 5, and therefore M. Baze was in no way prejudiced by the service of the order on the mayor being suspended till June 2.

M. Rouher (Minister of State) admitted that the act of the Procureur-Impérial was not legally justifiable, and said that he had been reprimanded for it. But it could have had no effect upon the result of the election, since M. Noubel's majority was very large. The fact was that legal process frightened country people very much, and the Procureur-Impérial thought, *bonâ fide*, that M. Baze's writ might operate as an intimidation while the election was going on.

M. Thiers.—I do not care about the influence of the act upon the election. That is not the question. I have obtained an admission from the Government of all that I wanted—namely, that the course of justice was suspended by the act of the Procureur du Roi. (Loud laughter.) I beg pardon, I should have said the Procureur-Impérial. I shall soon get into right habits. (More laughter.) You speak of intimidation; but if you say the Opposition exercises intimidation in the elections, France will not believe you.

After some further excuses for the Procureur-Impérial's conduct by M. Rouher, M. Noubel was declared duly elected.

The Emperor returned the following reply to the Address of the Senate:—

"I see with pleasure that the most opposite speeches are absorbed in the unanimity of the vote of the Address, and testify the same confidence—and you shall not be disappointed. Good is the sole motive of my actions. At home and abroad I desire the appeasement of passions, concord and union. I direct all my wishes to the moment when the great questions which divide governments and peoples will be pacifically solved by European arbitrament. This wish was that of the chief of my family when he cried from St. Helena that 'to fight in Europe is to make civil war.' This great idea, once Utopian, may it not to-morrow become a reality? However this may be, it is always honourable to proclaim a principle which tends to cause the prejudices of a former age to disappear. Let us unite our efforts with this noble view, and let us study how to conquer obstacles, and to confound incredulity.

"Please to be, Monsieur le President, the interpreter of my thanks to the Senate."

At the beginning of December there appeared in the *Moniteur* M. Achille Fould's official statement of the financial position of France, in the shape of a report to the Emperor. We give *in extenso* this important document:—

"Sire,—I lay before you a statement of the financial condition of the country, and submit to your Majesty for your appreciation a measure which appears to me necessary. The nature of my pro-

posal will justify the delay which has occurred in presenting it to the Emperor.

“The Council of State has under consideration the ordinary and extraordinary Budgets of 1865.

“Its labours are so far advanced that I can already announce to your Majesty the proximate presentation to the Legislative body of the projects which do not differ essentially from those of the Budgets voted for 1864.

“A Bill for supplementary credits amounting to 93 millions, of which 63 millions are for the army and navy estimates, and about 30 for the finances, has been laid before the Legislative body.

“The estimates for the army and navy departments are chiefly intended to cover the supplementary expenses caused in 1863 by the war in Mexico.

“The sum asked for by the Minister of Finances, destined chiefly to provide for the insufficiency of the credit opened as premium for the exportation of sugars, is only the compensation of the duties levied on importation.

“As regards these outlays, there are 50 millions of resources assured by the recent laws which have settled the agreements with the railway companies. These agreements have rendered disposable bonds to the amount of about 17 millions, and 1,430,000*f.* rentes. They are derived from the reimbursement made by the companies; the rentes being destined for the allowances (*subventions*), which, from the agreements I have alluded to, have been converted into annuities.

“The excess of the credits to be asked for extraordinary expenses will be 43 millions.

“It is to this sum of 43 millions that the deficit of the Budget of 1863 will be reduced, although the indirect revenues do not promise to reach the expectations of the rectifying Budget. The political anxiety which has weighed throughout the whole year on public business has been especially felt upon the registration of landed property; but the difference will probably be compensated by some returns and by an improvement in certain branches of the revenue.

“Nevertheless, if the movement of progress has been slackened, it has not been stopped. The unfavourable influence of circumstances would have been more seriously felt if there had not been such an abundant harvest, and the recent monetary embarrassments, which I trust will shortly be removed, would have been much more serious if we had been compelled to purchase the necessaries of life in foreign countries.

“The result of the Budget of 1862 is known. I had announced that the deficit would amount to 35 millions. It will be below that figure, and the deficit of the year will scarcely exceed 32 millions. Adding to that deficit what may possibly be foreseen for 1863, we come to a *maximum* of 75,000,000*f.*

“The extraordinary expenses occasioned by the Mexican war in

the years 1862 and 1863, the accounts of which have been made up to the 1st of January next and sent to the Mexican Government, amount to 210 millions. To this must be added the expenses caused during the same years by the occupation of Cochin China and the presence of troops and ships of war in other parts of the extreme East. Those expenses may be estimated at 60 millions. Our war expenses have been, therefore, 270 millions.

"The deficit of these two years being only 75 millions, there is a difference of 195 millions, more than half of which has been provided for by the surplus of the ordinary revenue.

"This result allows us to look with more gratification (*securité*) upon the general condition of our finances, as it has been obtained without any relaxation in our public works, granted in 1862, with 121 millions, and in 1863 with 125 millions<sup>1</sup>.

"This is a proof of the facility with which we can support all the ordinary charges of our Budgets, and even largely support great enterprises which have so powerfully contributed to develop the prosperity of the country, and which will develop it still more.

"As regards the Budget of 1864, the resources realized will exceed the provisions agreed upon between the Government and the Legislative body. This surplus will diminish the estimates which the maintenance of our troops in Mexico might render necessary in case the negotiations entered into with the Mexican Government should not respond to the expectations of your Majesty.

"Whatever confidence I may entertain in this respect, it is, nevertheless, my duty to call the Emperor's attention to the importance of our deficits. The deficits of 1862 and of 1863 are not great, if we consider the extraordinary calls that were made; but, added to our former deficits, they amount to 972 millions. This amount exceeds the figure which prudence ought to allow, and it is necessary to reduce it by the consolidation of a portion of the floating debt to normal proportions.

"This operation will not throw new burdens upon the Treasury, as the interests of the floating debt will be relieved of the amount, which will be carried over to the Budget for the interests of the consolidated debt.

"I had fancied that it might have been possible to avoid this necessity, and that a prompt solution of the affairs of Mexico might, on the one hand, have limited our expenses to a sum less than what we have expended, and, on the other hand, effected by a loan contracted with Mexico the reimbursement of our advances. But, despite the confidence which we entertain of seeing a regular form of government established in Mexico, we cannot place the safety of our finances upon its settlement of the debt to us.

<sup>1</sup> This includes the credits carried over from 1861 to 1862, and from 1862 to 1863.

"It must also be admitted that the floating debt, when it is out of proportion with the ordinary resources which supply it, costs more than the consolidated debt, and that it is not without disturbing the general transactions of the country that capital is sought for by the State at a high rate of interest. Every branch of commerce suffers from it, and, instead of reducing the rate of interest, which ought to be the case, the Treasury helps to raise it.

"Every one will understand how important it is to shield the State against inopportune claims which would compel it to have recourse to onerous operations which might compromise public credit.

"Such a state of affairs is a cause of anxiety and hindrance to commerce.

"As regards myself, Sire, I had entertained the hope that I need not have opened the ledger (*grand livre*), and it is not without mature reflection that I submit to your Majesty the proposal of reducing the floating debt by an appeal to credit.

"This loan differs from ordinary loans in this favourable sense, that as the produce is to be employed for the repayment of Treasury Bonds issued, it will return an equal sum for circulation. It is a transformation, not an increase of debt.

"The amount of the loan remains to be considered. I propose to your Majesty to fix it at 300 millions. Our deficit would thus be reduced to 672 millions.

"The floating debt will remain beneath that sum, because the settlement of debts is always slower than the collection of taxes. The sums due to the Treasury exceed 600 millions.

"This debt will be all the more easily settled when we have succeeded in the steps which we have taken to obtain repayment for what we have advanced to Mexico."



## CHAPTER II.

## PRUSSIA.

Reply of the King to Address of the Municipality of Berlin—Royal Speech at Opening of the Chambers—Unsatisfactory Speech of the President of the Council—Address of the Chamber of Deputies—The King refuses to receive the Deputation from the Chamber—His Reply—His Answer to the Upper House—Convention between Prussia and Russia as to Polish Refugees—Unseemly collision between the President of the Council and the President of the Chamber—Message from the King on the subject—His Answer to the Address in reply—The Chambers closed by the King—His Speech read to the House—Ordinance against the Press—Remonstrances of the Crown Prince—Dissolution of the Chambers—Question of the Schleswig-Holstein Succession—Address of the Chamber of Deputies—Speech of M. Von Bismark—Refusal by the Chamber to grant a Loan.

IN his reply to the New Year's Address of the municipality of Berlin the King said:—

“The present position of affairs in Prussia, which has been styled a conflict, has arisen from the confusion prevailing in the public mind.

“I intend to maintain and protect the Constitution. I am compelled to carry out by every means within the limits of the Constitution that which I consider essential to the welfare of the country, without regarding the fact of my being at present misunderstood.”

The Session of the Chambers was opened on the 14th of January, but the King was not present. The royal Speech was read by the President of the Council, M. Von Bismark Schönhausen, and the following were the most important passages:—

“The Government of His Majesty greets you with the lively wish that in this Session a durable understanding may be attained with respect to those questions which last year remained unsolved. This object will be arrived at if our Constitution be firmly adhered to as the basis for the correct apprehension of the position of the representatives of the country, and if the legislative powers, with mutual consideration of each other's constitutional rights, take their common task to be the promotion of the power and welfare of the Fatherland.

“The establishment of the Budget is prominent among the objects that will occupy you.

“The state of the finances is thoroughly satisfactory.

“Last year's receipts were so good that in most branches of the administration they considerably exceeded the estimates, and will afford means completely to cover the expenditure, including all extraordinary demands. The deficit shown by the estimates

for 1862 will, therefore, as was anticipated at the time of their discussion, in reality not exist.

"In the absence of a legally-fixed Budget for 1862, the Government has especially aimed at conducting the administration with economy; it nevertheless has not neglected to make all such expenditure as was necessary for the regular carrying on of the administration of the country, for the maintenance and advancement of existing State institutions, and for the welfare of the land. As soon as accounts have been finally balanced, Government will present a proposition concerning the receipts and expenditure of the past year, and move for the retrospective approbation of both Houses of Parliament for the expenses incurred.

"The Budget for the year 1863 will again be laid before you. The dispositions of the same have been further corrected by the experiences since obtained, and in certain items rectifications have been made corresponding to circumstances. It has thus been found possible to diminish the deficit shown by the previous draft. Considering the results of the past year, and the circumspection with which the revenue is estimated, the hope appears well-grounded that this deficit, like those of previous years, will be fully covered by excess of income. . . . .

"In pursuance of the identical notes addressed to the Royal Cabinet in the month of February, 1861, by a number of German Federal Governments, motions have been made by the same Governments in the Diet, the which, less by their substance than by the interpretation of the Federal compact they involve, have acquired an important significance for the position of Prussia relatively to the Federal Diet. The Government is also, for its part, fully persuaded that the Federal treaties no longer correspond, in the form in which they were concluded in 1815, with the altered circumstances of the times. Above all, however, it is aware of the duty of a conscientious observance of existing treaties, and resolved to exact complete reciprocity in the fulfilment of that duty as the first condition of the maintenance of such treaties."

In the course of the debate on the Address in the Chamber of Deputies, M. Bismark, the President of the Council, made a speech which caused intense dissatisfaction amongst the members. He said:—

"Your decisions alone are to regulate the Budget as regards its total amount and its details; if you are to have the right to demand of the King the dismissal of Ministers who do not enjoy your confidence; if, by your decisions with regard to the expenditure, you are to have the right to do away with the army organization; if you had the right (as you constitutionally have it not, although claiming it in this Address) to control the relations between the executive power and its functionaries; if you had all these rights, you would be *de facto* in possession of the

complete power of Government in this country. On the basis of these demands this Address reposes. By it the Royal House of Hohenzollern is required to abdicate its constitutional rights of Government in favour of the majority of this House."

The Chamber met this assertion by a storm of contradiction, and the President rang his bell. M. Von Bismark persisted in his assertion. "It is the same thing," he said, "in another form. You declare the Constitution violated so soon as the Crown and the Upper House do not do your will. You address the reproach of such violation to the Ministry, and not to the Crown, whose fidelity to the Constitution you, on the contrary, place beyond all doubt. But you know, as well as any one in Prussia, that the Ministry acts in the name and according to the commands of His Majesty. The Prussian Ministry is in this respect quite different from the English. The latter, call it what you will, is only the Ministry of the Parliament; but we are the Ministers of the King. It is not in order to make a shield for ourselves that I reject the severance of Crown and Ministry. We need no such shield; we stand firm in the consciousness of our good right. I reject the distinction you would make, because by it the fact is concealed that it is now a question of an Address against the Crown, and not only against the Ministry."

M. Bismark proceeded to say that theoretically it was undeniable that the Chamber had the right to reject the whole Budget, and thereby to bring about the dismissal of all functionaries, the abandonment of the army reorganization, and many other things besides. But such a theory was incompatible with practice; practically, the like had not yet happened. After the last dissolution of the Chamber, Government had made great concessions. These were met by unreasonable demands. The Chamber came to a resolution which was an abuse of its right:—

"You asked of His Majesty the disbanding of about one-third of the cavalry, and about half the infantry; in its totality your resolution was inexecutable, because it had a retrospective action. By this, I may well say, radical resolution, you first got into the *cul de sac* out of which you now seek an exit you will have great difficulty in finding. The Government came to your assistance by offering to accept the Vincke amendment. Instead of availing yourselves of the bridge thus laid down for you, you replied by a resolution which destroyed all hope of an understanding. We closed the session in the hope that you would return hither in a more conciliatory mood than that in which you departed. It is now your turn to make concessions, and, unless you do so, we shall have difficulty in terminating the conflict."

In the Address of the Chamber of Deputies, which was carried by 255 out of 323 votes, they severely commented upon the unconstitutional mode in which the Government was conducted, saying:—

"Since last Session the Ministers have carried on the public

administration against the Constitution, and without a legal Budget. The supreme right of the representatives of the people has thereby been attacked. The country has been alarmed, and has stood by its representatives.

"A small minority of the people only has, encouraged by the Ministers, carried the worst calumnies against the Chamber of Deputies to the foot of the throne in the form of addresses.

"Abuses of the power of the Government are now taking place just as in the sad years which preceded the Regency. Your Majesty recently declared that nobody should doubt your intention of maintaining the Constitution, but the Constitution has already been violated by the Ministers.

"Our position imposes on us the most urgent duty of solemnly declaring that peace at home and power abroad can only be restored to the Government by its returning to a constitutional state of things."

The King refused to receive the deputation appointed to carry up the Address; but he communicated his reply to the President of the Chamber, who read it to the House. In it he said that the Chamber advanced, as grounds for the complaint of a violation of the Constitution, acts of the Government which had been done with the Royal approbation. The King would not have permitted those acts if he had recognized in them a violation of the Constitution; he was fully convinced that the charge against his Government was unfounded, and he rejected it accordingly. The Chamber of Deputies used its constitutional right of co-operation in the establishment of the Budget in such a manner that it was impossible for the Government—as it repeatedly had declared—to give its assent to the impracticable decisions of that House. In the exercise of its equally constitutional right, the Upper Chamber had rejected the Budget, which the Deputies had altered until it became impracticable. The regulation of the Budget, as prescribed by the Constitution, having become impossible for last year's Session, and the Constitution containing no provision for such a case, it is incomprehensible that the Chamber should discern a violation of the Constitution in that the Government had carried on the administration without a legally established Budget. The King must rather point it out as a transgression of the constitutional powers of the Chamber of Deputies, that that body persists in regarding its one-sided decisions concerning the grant or refusal of the State expenditure as definitively binding on his Government. The Address qualified the right of granting the expenditure as the first right of the representatives of the people. The King continued—

"I also recognize that right, and will observe and guard it so far as it is founded on the Constitution. But I must call the attention of the House to the fact that, according to the Constitution, the members of both Houses of the Diet represent the whole people, and the Budget can be established only by law,



to wit, by a resolution agreed to by both Chambers, and approved by me. If such agreement was not to be brought about, it was the duty of the Government, until such time as it should be arrived at, to carry on the administration without interruption. It would have acted unjustifiably had it not done so.

"I am in the highest degree surprised that the Address should say that 'the new Session has begun without the Government having, by any practical steps, so much as opened a prospect of a return to regularity in the administration of the finances, and to the establishment of the arrangements of the army on legal bases.' Thereby it is entirely ignored that, in the Speech at the opening of Parliament, the bringing in of the Budgets of 1863 and 1864, and of a complement to the law of the 3rd of September, 1814, concerning the obligation to military service, was announced, and also that the production of accounts of receipts and expenditure for 1862 was promised, for the purpose of their supplementary approval by the Chamber of Deputies; which productions will take place at the time specified by my Finance Minister. After that, how can the Chamber close its eyes to the fact that my Government holds it for its most urgent care to replace the finance administration of the State, as soon as possible, on a legal basis? . . . . .

"The House of Deputies will have to recognize the limits set in the Constitution to the various powers (in the State); for only on that basis is an understanding possible with respect to the extent to which a working together of my Government with the national representatives is requisite. I deeply deplore the conflict of views that has arisen with respect to the establishment of the Budget. An agreement on that point is not, however, to be arrived at by abandoning the constitutional rights of the Crown and of the Chamber of Lords; neither can the right of granting and refusing the State expenditure be devolved exclusively, in opposition to the Constitution, on the Chamber of Deputies. It is my duty, as a Sovereign, to preserve undiminished the constitutional prerogatives of the Crown which I have inherited, because I therein recognize a necessary condition of the preservation of internal peace, of the welfare of the country, and of the authority and consideration of Prussia in its European position.

"After I have, for a year past, proved, by a diminution of nearly four millions in the sums demanded from the people, as well as by ready acquiescence in the practicable wishes of its representatives, that my sole aim is to bring about a termination of the opposition which the measures of my Government have encountered as well in great things as in small, I expect that the Chamber of Deputies will no longer disregard these proofs of a conciliatory disposition, and I now call upon it to testify on its part its desire to meet my patriotic and paternal (*Landesväterlichen*) views in such a manner as to render possible that work of agreement which is a necessity of my heart—of my heart, whose only desire

is to promote the welfare of the Prussian nation, and to maintain for the country the position assigned to it by a glorious history through the faithful union of King and people."

In the Upper House, 144 members out of the 240 absented themselves when the Address, which was thoroughly ministerial in its tone, was put to the vote, and it was carried "unanimously" by the remaining ninety-six supporters of Government. The King, in his answer, said that it did his heart good to receive so loyal an Address in full accordance with his own sentiments. He should always regard it as his first and most sacred duty to uphold right. By keeping to that principle he hoped to see the existing crisis brought to a close for the good of the country. His Government would abide firmly by the point of view it had taken up, but remain accessible to any conciliatory advances consistent with the maintenance of Prussia's power. He concluded by thanking the House for the support it promised his Government, and for the devotion and confidence its Address expressed.

Great and general disgust had been excited throughout Europe by a report that in the insurrectionary contest raging this year in Poland, the Prussian Government had entered into a convention with Russia to surrender to her the fugitive Poles who sought refuge in Prussia—or to permit Russian troops to enter her territory for the purpose of seizing them.

In the debate in the Lower Chamber on the 26th of February, M. Bismark declared that the statements made with respect to the agreement with Russia were incorrect, but he refused to explain what that agreement was<sup>1</sup>. His speech was remarkable for the bold insolence with which he treated the Chamber and the authority of the Vice-President. The scene that took place is worth recording.

M. Bismark began by denouncing the successive interpellations with respect to the Prusso-Russian convention. The Government had deemed it for the interest of the State to decline answering, and, in any other Parliament that he knew of, the most malcontent Opposition would thereupon have desisted from further inquiries. He added:—

"Therewith I couple the wish, Give us an English Lower House, and then ask us for English institutions. (A Voice.—'Upper House!') The Upper House is less important. A

<sup>1</sup> We know, from a despatch addressed by Sir A. Buchanan at Berlin to Earl Russell, on the 27th of February, 1863, that by M. Von Bismark's own admission to himself, the Convention was to the following effect:—"That disturbances having broken out in the kingdom of Poland which might endanger property and tranquillity in the frontier Provinces of Prussia, it was agreed between the two Governments that the troops of either should be authorized, on the requisition of the military authorities of the other, to cross the frontier, and, in case of necessity, should be permitted to pursue insurgents into the territory of the other; and it was further stipulated that either of the contracting parties should at any time be at liberty to terminate this agreement."—See Correspondence respecting the Insurrection in Poland, 1863, presented to both Houses of Parliament by command of Her Majesty.

Lower House like the English would render our Upper House unnecessary.”

M. Von Bismark then turned to the speeches made by MM. Waldeck and Unruh in a former debate on the same subject. He said :—

“Deputy Unruh had declared, amidst the applause of the Chamber, that if the measures taken by Government for the security of Prussian frontiers and interests were to lead to external complications, the means for the defence of the country should be refused to the King. Is not that saying to the foreigner, ‘Come hither; the moment is favourable? Prussia’—(Interruption and contradiction). I am glad to see that you yet express a feeling of indignation—(Interruption and cries of ‘Order’).”

Soon afterwards, upon the occasion of a fresh interruption, the President told M. Bismark that his last words had nothing whatever to do with the question before the Chamber.

M. Von Bismark.—I will permit myself to remark to the President that I cannot admit his right to a disciplinary interruption of my speeches. I have not the honour to be a member of this assembly; I did not make your regulations nor share in the election of your Presidents; I am not subject to the disciplinary influence of the Chamber. The disciplinary power of the President ceases at this bar. (The table at which the Ministers sit.) My only superior is His Majesty the King, and I have yet to learn that any legal or constitutional enactment has placed me under the discipline of the President of this House.

Vice-President Behrend.—I have not deprived the Minister-President of the word, nor could I do so consistently with the Constitution. But according to the regulations of this House, its President exercises disciplinary power so far as its four walls extend (loud applause), and that power will I exert.

M. Von Bismark.—I do not speak here in virtue of your regulations, but in that of the authority deputed to me by the King. On the ground of the paragraph of the Constitution which prescribes that the Ministers must be allowed to speak and must be heard as often as they demand it—(interruption)—you have no right to interrupt me. I must mark that view as an erroneous one, which the Government does not share. I was saying, then, the same Deputy Von Unruh who, in 1848, indelibly associated his name with the refusal of taxes—(Violent commotion arose in the Chamber, with cries of “It is scandalous, adjourn.” The President rang his bell continuously).

Vice-President Behrend.—I shall find myself compelled, in conformity with the regulation in such cases, to adjourn the sitting, if the Minister-President should repeat expressions which I have declared do not pertain to the debate. (Applause.)

M. Von Bismark.—I cannot prevent the President adjourning. I have no need, gentlemen, again to repeat what I have twice said, and what you, I apprehend, have understood. The threat to leave

Prussia defenceless is happily an impotent one, but the remark is thereby suggested that the tendencies, the words, the names of 1848 again appear in the foreground of the stage. The European revolution is connected and mutually supporting in all countries; it is natural that a movement in Poland, which, according to proofs that lie before us, has been prepared with Mazzini's co-operation, and which, according to known facts, is being carried out with Mieroslawski's assistance, should find support from the revolutionary element in all countries. Under these circumstances, gentlemen, it is proposed to you to testify your sympathy with the Polish insurrection by the acceptance of to-day's resolution. It is not my business to criticize the object of the gentlemen who bring it forward. But the effect produced throughout the whole world by the acceptance of the resolution will unquestionably be that those who vote for it constitute themselves, to a certain extent, partisans of the Polish insurrection. You recommend to the Government—if, that is to say, you will look upon the resolution in the light of a recommendation—to favour neither of the two parties. That the Government would not favour the insurgents might be foreseen by the Chamber; the only possible conclusion then is, that you would fain protect the insurrection from the prejudice that might result to it from the attitude of this Government.

In the result, the Chamber of Deputies adopted, after three days' debate, by 246 to 57 votes, a resolution—"That the interest of Prussia requires that the Government, in face of the insurrection that has broken out in Poland, should not assist or favour either of the contending parties, or allow armed persons to touch the Prussian soil without at the same time disarming them."

At a later period, on the 11th of May, a similar scene of unseemly antagonism between the First Minister of the Crown and the President of the Chamber was acted, in which M. Bismark was ordered to be silent. This led to a direct message of reproof addressed to the Chamber by the King. On the 20th of May M. Bismark told the Chamber that he had "a most high message from His Majesty the King to read to the House." He then did read to it a document signed by the King, and countersigned by all the Ministers, which denounced the claim of the President of the Chamber of Deputies "to subject our Ministers to disciplinary power, and to impose silence upon them," in violation of Article 60 of the Constitution. It declared:—

"Such a claim lacks legal foundation, and we cannot deem it to correspond with the dignity of our Government that our Ministers, as representatives of the Crown, should be present at the deliberations of the House under renunciation of that independent position (with respect to the Chamber of Deputies) which legally pertains and is constitutionally secured to them.

"We, therefore, can but exhort the Chamber of Deputies to put an end to a state of things from which the most essential interests of the country suffer, by affording to our Ministers that recognition



of their constitutional rights which they demand, and by thus rendering possible that further business co-operation without which no result can be expected from the proceedings of the Diet."

An Address in reply to this message was drawn up and carried. It was presented to the King, who said in his answer—

"The House should know that the situation of the country is well known to me, that the Kings of Prussia live with and among their people, and have a clear eye and a warm heart for the real wants of the country. I was also accurately and truly informed of the proceedings in the sitting of the 11th, and you had no need to send me that stenographic report. It is a fact that the President did not only interrupt one of my Ministers and tell him to be silent, but, by adjourning the sitting, he also withdrew from him the right of speaking which he had just restored to him. It is clear that the President thus exercised towards the Minister a disciplinary right. In its replies to the Ministers' letters of the 11th and 16th inst. the House avoids declaring itself with respect to the main point. The Address avoids it likewise; but, at the same time, in stating that it has not asked a renunciation of their constitutionally independent position, it recognizes that the Ministers are not subject to disciplinary power, and gives the assurance that the House no longer maintains an unjustified claim in this respect. If the House had made this declaration in due time, it would not have found occasion for the groundless reproach that my Ministers have frustrated the object of the Session by breaking off personal intercourse with the House. I might then have desired my Ministers to resume relations with the House, and again to try whether and how far these might lead to a satisfactory result; but the House itself, by its Address, has now destroyed all hope of any good arising from such resumption. In the Address you express your regret that in the last three months there has been no return to a constitutional situation. My Ministers have done their utmost to make those propositions which are essential to a lawfully regulated financial administration. It is not their fault that the Budget has not been agreed to. The House has wasted its time and strength in discussions of which the form and tendency have long made me despair of any result favourable to the interests of the country. The assertion that my Ministers have expressed and acted upon unconstitutional principles, and that the most important rights of the representatives of the people have been neglected and violated, is totally unfounded. The House should at least have endeavoured to prove this assertion, and to point out those Articles of the Constitution which it says have been violated. You only point out that my Ministers have refused to co-operate in the elaboration of the law for the responsibility of Ministers. This reproach applies no more to them than it does to their predecessors. No certain date is fixed by the Constitution for the passage of this law, and they have thought its further adjournment favourable to the interests of the country.

“The bearing of the majority in all discussions relating to foreign policy I look upon with the deepest regret. The foreign policy of my Government has been judged from the harshest and most partisan point of view, and some members of the House have forgotten themselves so far as to threaten to refuse the means even for a just war. In harmony with such expressions are those of the Address respecting the foreign relations of Prussia, and the reproaches to my Government which are coupled therewith. They are not conformable with fact. The situation of Prussia is not more isolated than that of other European States; but as little as the other Powers can Prussia dispense with the necessity, under present circumstances, of maintaining her present defensive force unimpaired. I would not reject patriotic counsels in matters of foreign policy, but such counsels can be valuable only when based upon a full knowledge of all the preceding circumstances and negotiations. To complain of such counsels not having been followed is an unjustifiable attempt on the part of the House to enlarge the circle of its constitutional rights. Under all circumstances, it is and remains my exclusive Royal right, guaranteed by Article 48 of the Constitution, to decide upon peace and war. In this, as in all other respects, it is my duty to guard against infringement of that Royal power which is based upon law and Constitution, and to protect the country from the dangers that would result from a displacement of the respective powers in the State. I must strenuously oppose the endeavour of the House to use its constitutional right of participation in the legislation as a means of circumscribing the constitutional liberty of Royal decisions. Such an attempt is made when the House refuses its co-operation with the present policy of my Government, and also in its demand of a change in my advisers and in my system of policy. In opposition to Article 45 of the Constitution, which says that the King appoints and dismisses his Ministers, the House wishes to oblige me to take Ministers who are agreeable to it, thereby seeking to establish an anti-constitutional supremacy of the House. I reject the demand. My Ministers possess my confidence; their official acts have been done with my consent, and I thank them for their care to oppose the anti-constitutional attempt of the House to extend its power.

“By the co-operation which the House declares that it refuses to my Government I can only understand that co-operation to which the House is entitled by the Constitution; any other can neither be claimed by it nor has been asked for by my Government.

“In presence of such a refusal, the real meaning of which, moreover, is made evident by the whole contents and tone of the Address, as well as by the demeanour of the House during the last four months, a further continuation of the present Session can lead to no result. Neither as regards domestic affairs nor with respect to foreign relations would it be favourable to the interests of the country.”

This was on the 27th of May, and on the same day the Session of the Prussian Chambers was closed by a Speech from the Throne, read to the members in the White Hall of the Palace, by M. Bismark. It was to the following effect :—

By its Address to the King upon the 29th of January the Chamber of Deputies had placed itself in direct opposition to the Government, and, notwithstanding the answer of the King, had remained in a position adverse to an understanding. By its debates upon foreign politics the Chamber had endeavoured to paralyze the influence of the Government, and had thereby increased the excitement prevalent in the provinces bordering upon Poland. It had accepted misrepresentations of the opponents of Prussia, and aroused apprehensions of external dangers and entanglement in war, for which the existing relations to Foreign Powers give no well-founded cause. In the recent Address the Chamber, moreover, had altogether refused its co-operation with the Government. This rendered the close of its deliberations unavoidably necessary. The Government reserved to itself the power of determining the manner in which the unsettled financial measures should be brought to a conclusion, and hoped to come to a future understanding with the representatives of the country.

The next step which the Bismark Ministry took, was to issue on the 1st of June a royal decree authorizing the suppression of newspapers “which persistently exhibited tendencies dangerous to the welfare of the State,” and the exclusion altogether of foreign journals for the same cause.

An important letter from the Crown Prince, the husband of our Princess Royal, to the King his father, was published in the German papers, and we have no reason to believe that it is otherwise than genuine. It was dated the 31st of May, and shows how keenly sensible the heir apparent of the Crown is of the unconstitutional course which his royal father was pursuing. In it he said :—

“Expressions you lately made use of in my presence regarding the possibility of forcing your measures upon the country oblige me to speak out on the subject. On dismissing the Auerswald Cabinet you told me that, being more liberal than yourself, I had now got an opportunity for enacting the usual part of a Crown Prince, and throwing difficulties in the way of your Government. At that time I promised you to keep back and maintain silence, and offer no opposition. Intending to keep my promise, as I do, I yet feel it my duty to speak to you in private. I beseech you, my dearest father, not to invade the law in the way you hinted. Nobody is more fully aware than myself that to you an oath is a sacred thing, and not to be trifled with. But the position of a Sovereign in regard to his Ministers is sometimes very difficult. Skilled as they are in the lawyer’s art, and expert at interpretation, they know how to represent a measure as fair and necessary, and by degrees to force a Sovereign into a path very different to that he intended to tread.”

The King replied :—

“You say you do not intend to offer any opposition. You must not have been cautious, then. Opposition speeches of yours have got abroad and found their way to me. You have now an occasion for making amends by expressing yourself in a different way, by slighting the Progressists and courting the Conservatives. The decree of June 1, besides being in consonance with the Charter, and more particularly with Clause 63, will be laid before the Landtag. The decree, so far from being the enormity you say, ought to have been introduced in the shape of a Bill, even under the late Liberal Cabinet; for it was on this condition only I sanctioned the law protecting printing-offices against the supervision and interference of the police.”

On the 3rd of June the Crown Prince lodged a formal protest against the decree on the press. It was addressed to Herr von Bismark, accompanied by a request to communicate it to the Cabinet. In this protest the Prince expressed himself in the following style :—

“I deem the proceedings of the Cabinet to be both illegal and injurious to the State and the dynasty. I declare the measure to have been taken without my wishing and knowing it; and I protest against any inferences and ascriptions to be possibly based upon my relation to the Council of State.”

On the 4th of June the Prince wrote again to the King, stating in vigorous language that the Charter had been evaded and set aside in the case of the decree on the press. Next day at Dantzic, where he had arrived on a tour of military inspection, he returned an answer to an Address from the municipality, the tone of which greatly offended the King, who wrote to him, and demanded a disavowal of sentiments which he assumed must have been falsely reported. If not, and they were repeated, he threatened to recall him to Berlin and deprive him of his military command.

The Prince replied :—

“The address I delivered at Dantzic is the result of calm reflection. I long owed it to my conscience and my position to profess, in the face of the world, an opinion the truth of which has forced itself upon me more fully from day to day. The hope only of being able after all to avoid placing myself in opposition to you stifled the monitions of my internal voice. But now, ignoring my different views, the Ministry have taken a step imperilling my future and that of my children. I shall make as courageous a stand for my future as you, my dear father, are making for your own. I cannot retract any thing I have said. All I can do is to keep quiet. Should you wish me to do so, I hereby lay at your feet my commission in the army and my seat in the Council of State. I beg you to appoint me a place of residence, or to permit me to select one myself, either in Prussia or abroad. If I am not allowed to speak my mind, I must naturally wish to dis sever myself entirely from the sphere of politics.”



On the 4th of September a Royal decree appeared for the dissolution of the Prussian Chambers. The Ministry advised this step, as they saw it was hopeless to expect any thing but firm unyielding opposition from it to their arbitrary and unconstitutional measures. In their report to the King, which preceded the decree, they said:—

“There is no prospect that further negotiations with the present Chamber of Deputies would lead to any understanding. His Majesty the King, before his departure, was pleased to express his concurrence with these views of the Ministry, but a definitive resolution was reserved until His Majesty’s return. The state of things in Prussia since that time has not offered any ground for a change in the propositions of the Ministry, which His Majesty had approved. On the other hand, tendencies have manifested themselves within the limits of the German Federal Constitution, the evident aim of which is to reduce Prussia from that position as a great Power in Germany and Europe which is her well-earned inheritance from our forefathers, and which the Prussian people has at all times been determined not to relinquish. Under these circumstances, it will be incumbent on the Prussian people to give expression upon the occasion of the approaching new elections to the fact that no difference of political opinion is so deeply rooted in Prussia as to endanger the unity of the people, and the immovable fidelity with which they are attached to the Royal House when placed in face of efforts tending to diminish the independence and dignity of Prussia.”

When the new Chambers met in December, the Liberal party was as strong as ever, but circumstances occurred which seemed to open the prospect of a reconciliation between it and the Government. The death of the King of Denmark gave rise to the question of the right of succession to the Duchies of Schleswig and Holstein, as will be found fully narrated under the head of Denmark. And the Prussian Liberals enthusiastically espoused the title of the Prince of Augustenburg, in opposition to that of Christian IX., the present King of Denmark.

An Address to the King was drawn up in the Chamber of Deputies, the object of which was to set aside the Treaty of London entered into in May, 1852, with respect to the succession to the Danish Crown, and to which Prussia, together with Russia, England, Austria, France, and Sweden, was a party, and to force the Prussian Government to recognize the Prince of Augustenburg as Duke of Schleswig-Holstein. The following was the language of the Address:—

“May it please Your Majesty,—Your Majesty has deigned to lay before us a Bill respecting the extraordinary outlay required in consequence of the pending questions in dispute between Germany and Denmark. Already upon the 2nd of December the Chamber of Deputies examined the Schleswig-Holstein question in detailed debate, and pointed out in a definite resolution the

direction of the policy requisite to be followed for the honour and interest of Germany. The Danish law of succession, as laid down by the London protocol, has never been submitted to discussion by those most nearly concerned—the popular representation of the Duchies and the agnates of the House of Oldenburg, and the German Federal Diet. Thus, already void in its foundation, the London protocol has further entirely ceased to be binding upon the participating Powers after the Danish Government upon its part has broken all the engagements at that time made. Prussia and Germany are accordingly in duty bound to recognize the hereditary right of Frederick VIII., to restore the union and independence of the Duchies, and to free German Federal territory from the presence of Danish troops. No other German State is more nearly concerned than Prussia in executing this duty rapidly and effectually. Our brave army gained its first victories since the War of Liberation upon the soil of the Duchies, and thereby pledged its honour for the eventual triumph of the cause it defended with fame but without result. The oppression of the Duchies since 1850 was the first and necessary consequence of the ill-omened Convention of Olmütz, the disastrous bearing of which upon the internal relations of Prussia and the position of the power of Germany—bitterly felt by every patriotic heart—will not be extinguished except with the liberation of the Duchies. The Chamber of Deputies, therefore, sees with deep regret the Royal Government operating in a direction which threatens, as a consequence, not the removal, but the restoration and strengthening of the settlements of 1851 to 1852. Those settlements, however, stipulate for the Duchies the tearing asunder of the ancient legal community, and therewith the defencelessness of the German element in both countries. From their very commencement they have possessed no other European importance than seriously to imperil especially Prussian State interests, so that all Prussian activity in their favour must be called an act of self-destruction. While definite defence of the rights of Schleswig-Holstein would rally all Germany under the leadership of your Majesty, maintenance of the settlements of 1851 to 1852 has placed our State in open contradiction to the majority of the German Governments, and to the unanimous opinion of the German nation. The Government of your Majesty has employed the entire influence of Prussia, in conjunction with Austria, to carry a resolution, contradictory in itself and unclear in its whole bearing, through the Federal Diet, which exposes the independence of the Duchies, and with it the highest interests of Germany, without avoiding the danger of foreign complications. The Chamber of Deputies addresses itself to your Majesty in order to avert from itself the heavy responsibility of not having made every effort to change a policy which threatens to injure the country for a long period. Almost alone among all the German representations of the people, it finds itself placed in the painful position of not being able to give that energetic expression

to the most ardent wishes of the people which unanimity of feeling between Government and the representatives of the country alone can bestow. The Chamber of Deputies, equally with the Prussian nation, is paralyzed by the consciousness that the present system of Government is altogether unable to create a secured position of right, and that the means of the State would not be applied in the hands of the present Ministers either for the benefit of the country and the Crown, or in the interest of Germany and the Duchies.

“Most Gracious King and Sire,—Your Royal Majesty has formerly solemnly declared that not a foot of German ground should be lost. The right of the Duchies to indivisibility and independence coincides with the hereditary right of the Augustenburg family. We, therefore, pray your Majesty respectfully and urgently to withdraw from the London Treaty, to recognize the Hereditary Prince of Schleswig-Holstein-Augustenburg as Duke of Schleswig-Holstein, and to endeavour to induce the German Diet to render him effectual assistance in taking possession of and liberating his hereditary lands. The Chamber of Deputies has not a more heartfelt wish than to place all its means joyfully at the disposal of such a policy, openly expressed and harmonizing with the will of the whole nation.”

The Government had applied for a loan in order to be prepared for the possible necessity of war arising out of the complication of the Schleswig-Holstein question, but they refused to adopt the violent course of withdrawing from a treaty which the King of Prussia had solemnly signed in 1852, and the Chamber was unwilling to grant the loan except upon that condition. The Committee on the loan agreed to the Address by a majority of 16 to 5 votes. The dissentients wished simply to refuse the Ministerial demand altogether. M. Bismark hinted that a refusal of the loan by the Chamber would facilitate the course of the Government on other questions besides that of Schleswig-Holstein, which was intended as a threat to intimidate the members into submission by holding over their heads the probability of a prorogation or dissolution of the Chamber.

M. Bismark said—“Were our policy that which is imputed to us, we might from the first have stood upon the ground of the London Treaty, and have said, ‘A treaty is a treaty, and we stand firmly by this one;’ we should not have kept open the gap by which we may detach ourselves from it. Were such our policy, we must rejoice at the rejection of the Loan Bill, since we then could tell the Diet that, for want of means, Prussia was unable to fulfil her Federal obligations. Our policy is different; it is that of His Majesty, that no foot’s breadth of German land, that no fraction of German right, shall be sacrificed. The way we follow to this end seems to you wrong; as far as human insight goes, the Government alone is able to select the right way, since it alone is fully acquainted with the position of the affair. . . .

Things are in that state that we may have war at any moment that we wish it; but war cancels all treaties, that of London not excepted. Should the latest news, whose official confirmation is certainly still wanting, be confirmed, we shall perhaps have to ask you sooner than we expect for a much larger grant than this loan—for the means for a war whose consequences would be incalculable. This Schleswig-Holstein question has its two sides, the Federal and the international; the demand as yet made corresponds only with the first side. If we name Schleswig, which we hitherto have not named, the international side of the question comes into play, and at the same time arises the necessity to demand 50, or even 100 millions. The period of such warlike complications can now be calculated by none; every debatable point on the Federal frontier towards Schleswig may any day, without reference to former violation of right, bring on a state of war."

The proposal for the loan was, however, ultimately rejected by the Chamber.



## CHAPTER III.

## DENMARK AND THE SCHLESWIG-HOLSTEIN QUESTION.

Composition of the Danish Monarchy—Brief Narrative of the Schleswig-Holstein dispute.—Proclamation of March 30 regulating the Government of Holstein and Lauenburg—Offence taken by Germany—Representation of the Danish Envoy to the Federal Diet—Views of the Swedish Government—The state of things in Schleswig—New Constitution or Charter of November—Death of Ferdinand VII., King of Denmark—Christian IX. succeeds to the Throne—Prince Frederick of Augustenburg claims to be Duke of Schleswig-Holstein—His Address to the Inhabitants—The Treaty of London, May 1852—King Christian's Proclamation addressed to Holstein—Question in the Federal Diet of Execution or Occupation—Federal Commissioners appointed—Letter from the Prince of Augustenburg to the French Emperor, and the Emperor's Reply—Views of the British Government—Message from the King to the Rigsraad—The Federal Commissioners and German Troops enter Holstein—Evacuation of Holstein by the Danes—Change of Ministry.

THE Schleswig-Holstein question, which has long been looming in the distance "with fear of change perplexing" Monarchs and Nations, assumed this year a definite and practical form, and led to a hostile occupation of Holstein by the troops of the Germanic Confederation, with the probable prospect of a war between Denmark and the whole military strength of Germany. It is not necessary to go far back into the history of the dispute, which would lead us into the dark fog of German politics some four centuries ago, but we will give a rapid summary of the events which led to the present position of affairs, and endeavour to show how untenable in point of law and fairness are the demands which the German Diet is attempting to enforce upon Denmark at the point of the sword. That gallant kingdom has our warmest sympathy in the struggle, for we believe that she has right on her side; and England can never view with indifference a small and friendly State overborne by numbers and deprived of a part of her dominions to favour antiquated pretensions which German Jurists have raked up from the dust of their libraries, and which ill conceal the real object that German statesmen have in view, namely, the possession of Kiel as a port in which some German Navy to be created hereafter may ride at anchor.

The Danish Monarchy consists of four principal parts, namely, the Kingdom of Denmark-Proper, the Duchy of Schleswig, the Duchy of Holstein, and the Duchy of Lauenburg. The Kingdom and Schleswig form together the original Danish realm, whose southern boundary is the river Eyder, whilst Holstein and Lauenburg are German territories acquired since, and known as the

“German Duchies” of the King of Denmark, for which he is a member of the Germanic Confederation.

The Kingdom of Denmark-Proper is the principal part of the Monarchy. It consists of the Danish islands and North Jutland, and has an extent of about 14,730 English square miles, with a population, according to the census of 1860, of 1,600,551 inhabitants of purely Danish nationality. The Duchy of Schleswig, or South Jutland, covers 3530 English square miles, with 409,907 inhabitants, who belong to three different nationalities, Danish, Frisian, and German; more than one-half being Danes, the others German or Frisians. Schleswig has never been acquired by Denmark, as is the case with Holstein and other possessions, but was originally a part of the Danish province of Jutland. From this it was detached in the middle ages (1232), and became then a fief of the Danish Crown. In 1459 it escheated to the Crown, but was maintained as a separate fief, and was soon afterwards divided between the three principal branches of the House of Oldenburg: the Royal Danish, the Gottorp, and the Söndenborg branches. The share of the Duke of Gottorp was for a short period almost separated from Denmark. King Frederick IV., however, recovered it, and obtained at the same time guarantees from England, France, and other Powers, for the quiet possession of the Duchy in future times. The whole Duchy was then “reincorporated into the Crown,” and again made an integral and inseparable part of the Danish State, by letters patent of August 22, 1721, and the subsequent homage of the inhabitants, September 4.

The Duchy of Holstein comprises 3280 English square miles, with 544,419 inhabitants of purely German nationality. It was a fief of the German Empire until 1806, and has been in connexion with Denmark ever since 1460, when it was acquired by King Christian I., on the occasion of the reversion of Schleswig, the last Duke having possessed also Holstein. The descendants of Christian I. divided it between themselves, just as they divided Schleswig; the Royal branch obtaining the Glückstadt division, the Gottorp branch the Kiel division, and the Söndenborg branch the Plöen division. The Danish Kings, however, bought back the Plöen division, and regained in 1773 the Kiel division by a treaty of exchange with the then reigning Duke of Gottorp, who afterwards ascended the Russian throne. At the dissolution of the Empire, Holstein was declared allodial, and united to the body politic of the Danish Monarchy by letters patent of September 9, 1806.

The Duchy of Lauenburg, which contains 402 English square miles, with 50,147 inhabitants, was acquired in 1815, and “for ever incorporated into the Danish Monarchy,” by letters patent of December 6, 1815, and the homage of the Estates, October 2, 1816<sup>1</sup>.

The Act of Incorporation of 1721, by which the Duchy of Schleswig was made an integral part of the Danish Kingdom,

<sup>1</sup> See “Denmark and Germany since 1815.” By Charles Gosch. London: Murray. 1863.

established the succession according to the *Lex Regia* of Denmark for that Duchy. The then Duke of Augustenburg and Schleswig, the great-grandfather of the present Duke of Augustenburg, subscribed at the time a new oath of allegiance for Schleswig in these words: "I therefore promise and *engage for myself, my heirs, and successors*, by these presents, and in virtue of them, that I and they will acknowledge and hold your Royal Majesty of Denmark, Norway, &c., as our only Sovereign Lord, will be to you and your royal hereditary successors in the Government *secundum tenorem legis regie*, true, faithful, and obedient. . . . So help me God and His Holy Word."

The real dispute between Denmark and Germany dates from the year 1848, when an insurrectionary German party in the Danish Monarchy, known as the Schleswig-Holstein party, appealed to Germany for aid in establishing the union of the two Duchies of Holstein and Schleswig, with a separate constitutional existence from the rest of the monarchy. Germany assisted the insurrection, and after a struggle of nearly three years' duration, the peace of Berlin of July 2nd, 1850, was signed, by which Germany withdrew from the war, and agreed to pacify the Duchy of Holstein. The peace of Berlin decided nothing as to the points in dispute, but simply that there should be peace between Germany and Denmark, both parties reserving to themselves all the rights they had possessed previous to the war.

On the application of Denmark, as stipulated by a clause of the treaty, a German army of "execution," after a considerable delay, marched into Holstein, and occupied the Duchy. Germany, however, refused, after the pacification of the Duchy, to withdraw her troops, and to reinstate the King of Denmark in his full sovereign authority both in Holstein and Lauenburg, which two Duchies constitute the only German federal territories embraced in the Danish Monarchy. Germany declined to do so until the Danish Government had given certain assurances as to the system of Government intended to be followed, not only in the aforesaid German territories, but also in the Danish Duchy of Schleswig, with which Germany had certainly no right whatever to interfere. The settlement of this question—viz., the conditions for reinstating the King of Denmark in his full sovereign authority in the federal parts of his dominions (Holstein and Lauenburg)—formed the subject of the diplomatic correspondence of 1851-2. That negotiation resulted in an informal agreement, expressed in the acceptance by Denmark of the constitutional arrangement proposed by her as revised by Austria in a despatch of December 26th, 1851, and in the promulgation, on January 28th, 1852, of a proclamation on the part of the King of Denmark, in which the King announced to his subjects the basis on which he intended that the Danish Monarchy should be reconstituted. This Proclamation contained the entire constitutional programme of the Danish Government, and consequently embraced also the points

agreed upon with Austria and Prussia in the negotiation just closed. The Proclamation was communicated to the Cabinets of Vienna and Berlin as an earnest of the intentions of the King's Government to carry out a reconstruction of the Danish Monarchy, in conformity with the views expressed in the diplomatic correspondence of 1851-2. The Proclamation was afterwards communicated to the Germanic Diet, but under the express reservation that this communication had reference only to what concerned the affairs of the federal territories of Holstein and Lauenburg. Finally, the Diet accepted, by a Resolution of July 29th, 1852, this communication as satisfactory in respect to the constitutional regulation of the positions of the federal territories embraced in the Danish Monarchy.

By these proceedings, the then pending dispute between Denmark and Germany was regarded as settled. The federal army of occupation or "execution" consequently withdrew from Holstein, and the King of Denmark was reinstated in his full sovereign authority both in that Duchy, as also in Lauenburg.

It is important to bear in mind that the negotiations between Denmark on the one hand, and Austria and Prussia on the other, acting as representatives of Germany, were, as far as they concerned Schleswig, of a strictly international character, and as such were regarded by the Germanic Diet, which in its Resolution of July 29th, 1852, expressly confined itself to the affairs of Holstein and Lauenburg, as the only parts of the Danish Monarchy which came under the federal jurisdiction of the Diet.

The engagements contracted by Denmark, on the interpretation of which the present dispute with Germany turns, were the following:—

- I. Denmark engaged not to incorporate Schleswig with the Kingdom of Denmark-Proper, or to take any steps tending thereto; and
- II. Denmark engaged to establish an organic and homogeneous constitutional connexion of all the parts of the country, so as to form a united Monarchy in which no part was subordinate to another.

Germany maintains that Denmark also engaged:—

- III. To extend equal protection to both the German and Danish nationalities in Schleswig.

But Denmark denies having made such an engagement, which is not found among the stipulations contained in the Austrian Despatch of December 26th, 1851, to which she assented.

The steps taken by Denmark to carry out the constitutional programme announced in the Royal Proclamation of January 28th, 1852, were the following:—

1. The provincial Assemblies, called Estates, which Holstein and Schleswig had possessed previous to 1848, were revived and endowed with a deliberative vote instead of their former con-



sultative one, but their jurisdiction remained limited to local affairs. In respect to the general affairs of the whole Monarchy, the King had, previous to 1848, been possessed of an absolute authority, uncontrolled by any legislative Assembly. The *status quo ante bellum* was therefore restored, as far as the Duchies of Holstein and Schleswig were concerned, and the old feudal constitution of Lauenburg was also left unchanged.

2. The Kingdom, or Denmark-*Proper*, had since 1848 obtained a free constitution, with a Parliament endowed with a deliberative vote. This constitution and Parliament had been originally framed with a view to its adaptation to the whole Monarchy, or at least to the whole of the non-German portion of the Monarchy, viz., Denmark-*Proper* and Schleswig. The Government had, therefore, to induce the Parliament to sacrifice so much of its authority and jurisdiction, as would be required for the establishment of a new general constitution for the whole Monarchy.

The Parliament of Denmark-*Proper* consented to this, and consequently was reduced to be a provincial Assembly for the province of Denmark-*Proper*, and its authority was confined to the local affairs of that province, but with the retention of a deliberative vote.

3. The Danish Government enacted or "octroyed" in 1854 a constitution for the whole Monarchy, the provisions of which were somewhat modified in October, 1855.

This Constitution established under the name of "Rigsraad," or Council of the Realm, a general Legislative Assembly for the whole Monarchy, based upon the equal representation of all parts of the Monarchy, according to the ratio of population and taxation. In this Assembly, numbering 80 members, Denmark-*Proper* counted 47 representatives—Schleswig, 13; Holstein, 18; and Lauenburg, 2. The population of Denmark-*Proper* is, as already mentioned, in round numbers, 1,600,000—Schleswig, 410,000; Holstein, 550,000; and Lauenburg, 50,000.

A normal budget, for the regulation of the ordinary annual revenues and expenditures of the whole Monarchy, was provisionally framed by the Government, and the financial authority of the Assembly limited to what might be demanded in excess of this budget.

After the second session of the "Rigsraad," the Germanic Diet, on an application from the Lauenburg Assembly, interfered and required the abrogation of the Constitution of 1855, but limited its demand to the Duchies of Holstein and Lauenburg, over which portions of the Danish Monarchy the Diet alone was entitled to exercise any control. The principal objection brought against the Constitution of 1855 was, that it had not been constitutionally promulgated, because it had not first been submitted to the deliberation and advice of the Provincial Assembly of Holstein or to that of Lauenburg.

The Danish Government, after having in vain tried various

expedients for satisfying the demands of the Holstein and Lauenburg Assemblies and the requirements of the Diet, without going the length of abrogating the Constitution, was finally obliged to take that step, and by an ordinance of November 6th, 1858, the Constitution of 1855 was abrogated for Holstein and Lauenburg.

The result was that Holstein and Lauenburg were put out of all constitutional union with the other parts of the Danish Monarchy; that, whilst the Constitution of 1855 remained in vigour and bound together Denmark-Proper and Schleswig, Holstein and Lauenburg reverted to the *status quo ante* 1848—that is to say, were replaced under the absolute authority of the Sovereign, as far as the general affairs of the whole Monarchy were concerned, the jurisdiction of their Assemblies being, as hitherto, strictly limited to local affairs.

All efforts of the Danish Government to come to an understanding with the Holstein Assembly, as to the framing of a new general Constitution to take the place of that of 1855, entirely failed. The Holstein Assembly revived the pretensions which had led to the insurrection and war of 1848-50, as to a constitutional union with Schleswig, and declared that it would listen to no overtures for a general Constitution, or be satisfied with any thing short of a compliance with the said revolutionary pretensions of 1848.

The Germanic Diet meanwhile, by a decree of March 8th, 1860, and by another of February 7th, 1861, required of Denmark that, until a settlement of the constitutional question of Holstein had been effected, the Assembly of that Duchy should exercise the same powers as the Rigsraad in controlling the government of the whole Monarchy.

A temporary compromise was brought about, under the mediation of Great Britain,—Prussia and Austria declaring themselves satisfied if Denmark would, for the present, confine the contributions of Holstein towards the general expenditure of the Monarchy to the sums fixed by the normal budget of 1856.

A proposition was made to Denmark by Lord Russell as Foreign Minister in September, 1862, that the whole of the legislative business, both with regard to common and with regard to special affairs, should be entrusted to the local representative Assemblies of the four provinces, Denmark-Proper, Schleswig, Holstein, and Lauenburg, so that every law would have to be voted in exactly the same form by all four Assemblies; further, that a normal budget should be voted for ten years, with the smallest possible amount, the necessary supplementary appropriations to be voted annually, and the proportions in which each province should contribute to the common expenses to be decided by a State Council.

But these proposals were rejected by the Danish Government; which maintained that no government was possible, when it had to be controlled by no less than four independent and co-ordinate Legislative Assemblies, and that such a state of things would

necessarily result either in anarchy or in the re-establishment of an autocratic form of Government.

The reason why the Danish Government had not, in the first instance, previous to the promulgation of the Constitution of 1854-5, submitted it to the four Assemblies, but had decided on an "octroi" of the constitution, as the only practical course to take, was that it was satisfied that no four Assemblies, independent and jealous of one another, could ever be brought to agree upon any constitutional plan whatever.

The Danish Government, by an ordinance or proclamation of March 30th, this year, attempted to meet the requirements of the Diet, according to the decrees of March 8th, 1860, and February 7th, 1861, in respect to placing the Assembly of Holstein on an equal footing with the Rigsraad for Denmark-Proper and Schleswig. The ordinance decreed that no law should be valid in Holstein which had not obtained the sanction of the Assembly of that Duchy, and that no expenditure beyond the sums fixed by the normal budget of 1856 should be defrayed by Holstein without the previous approval of the Holstein Assembly. And even this limitation of the financial jurisdiction of the Holstein Estates to the supplementary appropriations required over and above the normal budget, the Danish Government declared itself ready to do away with, if that limitation should be objected to by the Germanic Diet. As the ordinance had such important consequences, we give it at length :—

"We Frederick VII., King of Denmark, &c., do hereby make known :—

"When, in our Proclamation of January 28, 1852, we declared our intention of uniting the different parts of our Monarchy into a well-ordered whole through a common constitution, we were perfectly aware (as was also indicated with sufficient clearness in the preceding negotiations) that such a constitution was possible only under the condition, that our Sovereign power over our two German Duchies should not be further circumscribed or restricted than was the case by the existing laws of the German Confederation, which had been accepted by us, and also that the inhabitants of these Duchies would sincerely accede to the new arrangement of the State.

"These conditions have not been fulfilled. The German Federal Diet has interfered with the internal affairs of our Monarchy, and advanced demands, which are neither founded in the Federal laws, nor compatible with the independence of our Crown, and the rights of those of our lands which do not belong to the Confederation. The Provincial Estates of Holstein, also, have not only rejected all our propositions for an agreement, but have pronounced themselves in point of principle against any and every joint constitution based on a common representation.

"This state of internal dissension, which already for a space of ten years has paralyzed the development of our realm, ought now

to cease. We must, therefore, in view of the unsatisfactory results of the last Session of the Holstein Estates, consider it our Sovereign duty to regulate the constitutional position of the Duchy of Holstein in our Monarchy in a manner corresponding as far as possible with the demands of the Germanic Confederation. In so doing we have confined ourselves to what is strictly necessary in order to reserve the further development and final settlement of the free co-operation of our people and their constitutional representatives.

“We have, therefore, resolved, and hereby command as follows:—

“Art. I.—The conscripts levied in the Duchies of Holstein and Lauenburg, excepting those who are to serve in the Life Guards, shall henceforth form a separate division of our army, under the supreme administration of our Minister of War. This *corps d’armée* shall be supplied with all the necessary material, and furnish our Federal contingent in conformity with the military laws of the German Confederation.

“All expenses for the Holstein Lauenburg army division shall be paid by the special finances of the Duchy of Holstein, which for this purpose shall receive a contribution out of the revenues derived from Lauenburg.

“Art. II.—The Duchy of Holstein shall continue to participate in the expenses common for the whole Monarchy, and specified sub. 1-6 and 8-11, in the preliminary normal budget of February 28, 1856, for a period of two financial years as follows:—

(Here follow the items for the civil list, the appanages, Privy Council, national debt, pensions, Foreign-office, navy, finance and the common ministry for the interior, and sundries, as they are specified in the normal budget.)

“But the amount of 6,394,097 rixdollars, appropriated for the War Department by the normal budget, sub. No. 7, for two years, shall be reduced to 770,000 rixdollars, to be expended for the supreme administration of the army, our Life Guards, and the central institutions for the military education, which remain in common.

“No sum which in the course of a financial period may have been saved under one of these items shall be applied to the covering of a larger expenditure under another item. Any supplementary contributions which might become necessary beyond the specifications of the normal budget above quoted shall, in so far as Holstein is concerned, be submitted to the grant of the Holstein Estates. The common expenses shall be defrayed out of the common revenues. If there be a surplus, the proportionate *quota* belonging to Holstein, in accordance with the number of its inhabitants, shall be credited with the special finances of that Duchy with 21·31 per cent. If, on the contrary, the common expenses should exceed the common revenues, the Holstein finances shall contribute to make up the deficit, according to the same proportion.



“Art. III.—If the expenses for the local administration of the Holstein domains and forests, as well as for the Holstein custom-houses, and the telegraphs in Holstein, should exceed the sums specified in the normal budgets for each of these items, Bills for the necessary supplementary grants shall be submitted to the Holstein Estates for their assent. These expenses are to be paid in advance out of the corresponding revenues, so that only the surplus be paid over to the common exchequer.

“Art. IV.—The administration of the special finances of the Duchy of Holstein shall be transferred to our Ministry for the Duchies of Holstein and Lauenburg.

“Art. V.—The legislative power in all common affairs shall, as far as Holstein is concerned, be exercised by us and the Holstein Estates jointly. If a law in common affairs should be thus enacted by us for Holstein, with the consent of the Holstein Estates, and it should be impossible at the same time to enact an identical law in the other parts of the country, we will take the measures which thereby may become necessary, in case such a law has reference to a branch of Government in which a diversity of legislation would be incompatible with the maintenance of the community hitherto existing.

“Art. VI.—The stipulations contained in Art. V. shall take effect immediately; the others only at the end of the present financial term—viz., from April 1, 1864.

“Further regulations for the position of the Duchy of Holstein and its Representative Assembly, with regard to the common affairs of the Monarchy, shall be submitted to the Holstein Estates for their assent.

“In the law project to be prepared on this subject, not only the wishes which now have been manifested for greater civil and religious liberty shall be taken into consideration, but it shall also contain the necessary stipulations for an extension of the franchise and the qualifications of representatives, as well as for granting to the Holstein Representative Assembly a deliberate vote with regard to the common finances.

“Palace of Fredensborg, March 30.”

This, it might have been supposed, would be perfectly satisfactory to Germany; but there was a provision made for a disagreement between the Assembly of Holstein and the Rigsraad of Denmark-Schleswig, whose joint legislation was necessary for the validity of general laws,—the ordinance prescribing that in case of such disagreement, a separate legislation for Holstein on the part of the Holstein Assembly should take place, and thus paving the way for a complete separation of Holstein in point of legislation, and also of administration, from the rest of the Monarchy. And to this Germany objected.

She professed to regard the proclamation as a violation of

Federal rights; and in the "Nationale Zeitung," published in Berlin, an article appeared in which the writer said that the meaning of it was that the Danish Government had torn the treaties of 1852:—

"Those treaties comprised the bases agreed upon between Denmark and Germany with respect to the future constitutional relations of the Schleswig-Holstein Duchies. Germany then gave up the most important national right of the Duchies—that close, real union which had existed between them for centuries. Prussia and Austria, moreover, consented to the annihilation of the legitimate right of succession in the Duchies, and promised, by the recognition of the succession to the throne of a prince who was not entitled to it, to co-operate in securing the perpetual union of the Duchies with Denmark. The equivalent which Germany was able to stipulate for such great sacrifices was small enough. Denmark promised to leave the German nationality in Schleswig unmolested, and to maintain the independence and equality of rights of the Duchies. Especially was Schleswig never to be incorporated in the kingdom, and, therefore, never to enter into a closer constitutional union with Denmark than that which existed between Holstein and the latter country. From the commencement the Danish Government did not observe these conditions, and sought to escape, by tricks and pretexts, the summonses so to do which Germany addressed to it. Now it renounces the very principle of the treaty; and, while decreeing (*octroyirt*) the 'separation of Holstein,' it at the same time endeavours, by a *coup d'état*, to effect the incorporation of Schleswig. The German Powers are now no longer bound to the concessions of 1852, and are again at liberty to revert, in their demands, to the *status quo ante*."

The Germanic Diet, by a decree of July 18th, and by another of October 1st, demanded the repeal of the ordinance of March 30th; and that, under threat of "a process of execution." This decree of the Diet did not confine itself to the affairs of Holstein and Lauenburg—the Federal territories of the Danish Monarchy—but expressly included the Danish crown-land, Schleswig, the alleged ground being a violation by Denmark of the agreements of 1851-2.

At the sitting of the German Diet, at Frankfort, on the 27th of August, the Danish Envoy, who sat there as representing that part of the dominions of Denmark which formed part of the Confederation, namely, Holstein and Lauenburg, made a formal declaration on the question of the rights of the Danish Crown. He said,—

"When, during the negotiations of 1851-2, His Majesty's Government declared it to be their intention to unite in an equal manner all parts of the Danish Monarchy, so as to form one collective constitutional State, this was done on the necessary, and on both sides expressly admitted, supposition that the relation of the Duchies of Holstein and Lauenburg to the Germanic Confederation would not be incompatible with the independent position

of a Danish collective Monarchy in the European system of States, and that the participation of those Duchies in a common constitutional representation with the other parts of the State would be in harmony with the rights and laws of the Confederation, and this was, moreover, confirmed by a formal decree of the Diet. . . .

“What the Duchy of Lauenburg has possessed in an uninterrupted and undisturbed manner ever since it came under the Crown of Denmark, Holstein obtained by the Constitutional Law of 1854,—viz., a constitutional guarantee for its independence as to all its own affairs, in the widest sense of the term. His Majesty’s Government have besides declared themselves ready to give this special Constitution a more free development in unison with the liberal principles of the Danish political system.

“On the other hand, the position which has assigned the Federal territories in the Monarchy in respect to the common affairs of the whole country would in nowise have hindered His Majesty in the conscientious accomplishment of all the Federal obligations assumed by him, nor would the participation of the Duchies in a common Constitution have imperilled their own individual development or their financial interests. . . .

“The principle which has been carried out in this arrangement cannot well be disputed by the Germanic Confederation, for it is a principle which it has itself advanced. The independence and equality of rights claimed for the Federal territories could certainly not be more fully conceded or secured than by the course now taken by His Majesty’s Government, and all doubt as to whether the union of Holstein with the Danish Monarchy would interfere with the accomplishment of the Federal obligations of His Majesty must completely disappear with the concession of a general independence to the Federal territories. His Majesty the King has already declared his readiness to make his subjects in Holstein partakers of whatever free development the future may hold in reserve for Germany and the Germanic Confederation. As the realization of this intention would require such a position of Holstein as that assigned it by the proclamation of March 30th, there would also in this respect be cause for His Majesty’s confederates, and especially in view of the recent events in Germany, to give to this bearing of the arrangement a due consideration.

“His Majesty’s Government are animated by the sincere desire of removing every cause for a dispute which has already for too long a period disturbed the peaceful relations of closely-connected neighbouring lands. His Majesty’s Government being, for the reasons before stated, unable to repeal the proclamation of March 30th, they have instructed His Majesty’s Envoy to furnish the Confederation with such explanations as it may desire as to particular points. His Majesty’s Government venture to hope that such a discussion would induce the Confederation to change its opinion. They, moreover, do not hesitate to declare that not only would any propositions concerning the Duchies of Holstein and

Lauenburg be taken into the most earnest consideration, but also all decrees of the Confederation be executed in the said Duchies, provided only they respected the inalienable sovereignty of His Majesty over his Federal dominions, and did not thwart a free exercise of the legislative power in those other parts of the Monarchy which do not belong to the Confederation. . . . .”

The Swedish Government watched the course of events with an anxious eye, and did not conceal their sympathy with Denmark in the quarrel. It was, indeed, obviously becoming a question of Scandinavia against Germany; and in the month of September, Baron Manderström, the Swedish Minister for Foreign Affairs, addressed to the Swedish Ambassador in Paris a note, in which he called the serious attention of the French Government to the new phase upon which the Schleswig-Holstein question had entered, owing to the resolutions of the German Diet, and the threat of Federal execution in the Duchy of Holstein. He said:—

“Things have arrived at a point at which foreign intervention in the internal affairs of Denmark becomes really unendurable. The most extreme measures would be preferable to an unjustifiable submission, in which the Danish people will not acquiesce. We may, therefore, suppose that the Danish Government will reply that by the patent of the 30th of March, 1863, Denmark had conceded to Holstein all the rights which the Federal Diet has demanded for that Duchy. Denmark therefore fulfilled all her duties as a Federal member, since by this patent the mutual relations of the different parts of the Monarchy are established in such a manner that the legislation and taxation in the other parts of the kingdom become independent of that which will be adopted in Holstein and Lauenburg.

“The Danish Government will ever be ready to carry into execution the resolution passed in Frankfort relative to the internal administration of these Duchies. Every cause as well as every pretext for a Federal execution being, however, removed by this declaration, as also by the patent of the 30th of March, the Danish Government can only regard such proceeding as having an object entirely apart from the competency of the German Diet, and must therefore consider it a hostile attack, which it is her duty to oppose by all the means at her disposal.

“In case this should be the reply of the Danish Government, which, as I have already said, appears most probable, it will not be denied that it is based upon facts.

“The demand of the Federal Diet for a common constitution for the whole Monarchy is untenable, because it is the German Diet itself, and the Holstein Estates, which have rendered such an arrangement impossible. As regards the Duchy of Schleswig, it is a fact that the Danish Government, after Schleswig’s administrative separation from Holstein, decided to extend the liberties of this province, and that it never took any steps to incorporate it with the kingdom. In any case, this is a question with reference to



which the Federal Diet is entirely incompetent, as regards the claims which, in common with Austria and Prussia, it considers itself entitled to make relative to the negotiations of 1851 and 1852.

"In the mean while, the Diet's ill-concealed desire to mix itself up in this question causes the danger of the situation, which we can only regard as highly critical, and approaching a crisis which would unavoidably endanger the peace of the North, and very likely of the whole of Europe.

"The Government of the King has long avoided a return to this question, but, believing itself to be unable any longer to remain silent, it considers it to be its duty to submit the state of affairs for examination to the Cabinets of Paris and London.

"It appears to us that it can scarcely be the wish of those Cabinets, particularly in the present state of the negotiations relative to Poland, that a war should break out in the North during the present year. Such an event, however, might happen within a few weeks, should Denmark not meet with such support from those Cabinets as would protect her against the aggressive measures of Germany. We will not take upon ourselves to propose the means by which such a contingency might be averted. We believe, however, that we have a right to express our opinion upon this question. We have this right, first, on account of the sincere feelings of friendship which bind us to the two Governments to whom we address ourselves; and, secondly, because of the serious consequences which might result from a contest from which the force of circumstances could alone prevent us from holding aloof, since our dearest interests would not allow us calmly to see our neighbours oppressed under pretexts which, at a later period, might endanger our own independence."

With respect to the alleged grievances which the Germans complained had to be endured by the German inhabitants of Schleswig, we copy part of a letter from a Danish pen, which appeared in the "Times"<sup>2</sup>:—

"That Germany wants now also to compel the separation of Schleswig from all connexion with Denmark-*Proper* in respect to common affairs is but one of those acts of lawless aggression on the part of Germany with which we have unfortunately become too familiar, but that the English Foreign Secretary should by his, for the Danish State, destructive proposals of September 24th, 1862, have lent a hand to assist Germany in her interference with the internal affairs of the Danish State, is something that has struck us with astonishment, and caused all Danes the deepest pain.

<sup>2</sup> The letter is dated Hadersley, in Schleswig, and the writer, Laurids Skau, says:—

"I was born, bred, and have passed my whole life in Schleswig. My ancestors have for centuries dwelt and tilled the soil in Schleswig, and, like myself, belonged to the free and independent proprietors who constitute the kernel of the Schleswig people. For twenty-five years I have taken an active part in the struggle against that insurrectionary spirit which, coming from the South, has extended to the lands of the Danish Crown. Since 1854 I have been a member both of the Diet for Schleswig's own local affairs and of the Rigsraad for the common affairs of the Danish State."

“As for the language regulations, the constant repetition of false assertions would seem at last to have succeeded in spreading abroad an incorrect opinion, and that even among friendly British statesmen. In the southern part of Schleswig the language in Church and school is exclusively German; in the northern part of the Duchy it is exclusively Danish; and in the middle part, where the people speak both languages, and use both indiscriminately, both languages are used in the Church, and that in quite an equal degree. All Church services, such as baptism, marriage, communion, burial, are performed in the language preferred by those concerned. In the schools both languages are taught, and as it is a well-established fact that generally the children understand Danish, while they scarcely ever understand high German (the rural dialect being, when not Danish, low German), and at any rate learn Danish much more readily than German, it was necessary to give Danish the precedence in instruction, apart from all considerations of the propriety of so doing in the public schools with regard to that language being also the official language of the State. It is, however, allowed those who are partisans of the German nationality to have private tuition for their children without any other restraint than the one which exists also in Denmark- Proper, endowed though it be with the greatest possible amount of civil and religious liberty—namely, that private tutors are from moral and religious motives subjected to the supervision of the Administration. The parents can likewise demand that confirmation shall take place in German when their children have received their religious instruction in that language. I am, therefore, unable to perceive how matters could be arranged in a more liberal manner, for the Government is not merely under the obligation of seeing that the rights of German nationality be respected, but also to do the same for the Danish nationality. This latter obligation is the more imperative, as the working classes in those parts of the country belong almost entirely to the Danish nationality, whilst the rich and influential classes are German, and know well enough how to take care of their own interests not to need any assistance from Government.”

As by the ordinance of the 2nd of March a complete autonomy was granted to Holstein, and its Provincial Estates became in fact an independent legislature, it was deemed right and expedient by the Danish Government to make certain alterations in the Constitution of October, 1855, with respect to Denmark- Proper and Schleswig, and to provide for the effective government of these two component parts of the ancient monarchy. Accordingly a new Constitution, or “Fundamental Law for Denmark- Proper and Schleswig,” was passed by the Rigsraad, and being sanctioned by the King, became law on the 18th of November this year. It is not necessary to give it here at length, as by far the greatest part of it was *identical with the Constitution of 1855*, against which Germany has not even protested, and the variations

have little or no interest out of Denmark. But the third article seemed to point to the more intimate union of Schleswig with Denmark-*Proper*, and thus was made the pretext on which Austria and Prussia claimed the right to interfere, as being what they called a violation of the treaties and engagements of 1851-2. It provided as follows:—

“The legislative power in respect of the common affairs of Denmark-*Proper* and Schleswig is vested in the King and the Rigsraad conjointly<sup>3</sup>.”

“No law passed by the Rigsraad, and sanctioned by the King, can be made dependent on the passage of a similar law by another legislature for a separate part of the realm, unless a special provision to that effect is made in the law itself<sup>4</sup>.”

“Common affairs are all those affairs which are not expressly appointed to be separate from the individual parts of the realm.”

We may mention also—although it has no bearing on the dispute with Germany, being a matter of purely internal arrangement—that the Rigsraad, which by the Constitution of 1855 consisted of only one Chamber, was now divided into two—a Folkething and a Landsting—the Folkething to be composed of 130 members, of whom 101 were to be chosen in Denmark, and 29 in Schleswig, and the Landsting to be composed of 83 members, of whom 52 were to be chosen in Denmark, 13 in Schleswig, and 18 to be appointed by the King.

We believe we are correct in saying that this new Constitution or Charter left Schleswig in exactly the same position in which she was under the Charter of 1855, and did not alter nor interfere with her Provincial Constitution at all. The most important changes had reference to and were consequent upon the separation in point of Constitution of Holstein and Lauenburg from the rest of the Monarchy.

The Schleswig-Holstein question assumed a new and more complicated aspect owing to the sudden death of the King of Denmark on the 15th of November<sup>5</sup>.

In conformity with the provisions of the Treaty of London, 1852, Prince Christian, the father of our Princess of Wales, ascended the Danish throne as King Christian IX., but the next day there appeared a proclamation of Frederic, Prince or Duke of Augustenburg, who, as his father had abdicated his claims, insisted on his right to be recognized Duke of Schleswig-Holstein. He said:—

“Schleswig-Holsteiners,—The last Prince of the Danish branch of your ruling House has expired. In right of the ancient order

<sup>3</sup> The corresponding paragraph in the Charter or Constitution of October, 1855, was, “The legislative power in common affairs is vested in the King and the Rigsraad conjointly.”

<sup>4</sup> This was introduced on account of the extension of power granted to the Provincial Estates of Holstein, whereby they were put on an equal footing, as regards Holstein, with the Rigsraad.

<sup>5</sup> The Hereditary Prince Frederick Ferdinand of Denmark, uncle to the late king, and heir to the throne, died suddenly on the 29th of June, in the seventy-first year of his age. The Prince, who was married to a daughter of Frederick VI. of Denmark, left no issue.

of succession of our country and of the House of Oldenburg, in right of the ordinances specially confirmed in the State fundamental laws of the Schleswig-Holstein National Assembly, in right of the renunciation executed by my father in my favour, as the eldest born Prince of the nearest branch of the House of Oldenburg, I hereby declare that I assume the Government of the Duchies of Schleswig-Holstein, and therewith undertake the rights and duties which Providence has conferred upon my family, and immediately upon me. I know that these duties come upon me in a difficult time. I know that no other power is at present at my command for carrying your and my rights into execution than the justice of our cause, the sacredness of former and present oaths, and your conviction of the firmness of the band uniting my fate with yours. Hitherto you have submitted to the injustice as manfully as you have fought to put aside that injustice. Until now an undisputed right afforded a pretext for the yoke imposed upon you, for the King of Denmark was at the same time your Duke, while henceforth it is intended to force the rule of a King of Denmark upon the people, contrary to its sacred wish, contrary to the nationality appointed by God, and contrary to its ancient right.

“Lauenburgers,—Your fine country, the equivalent for a land whose name I bear by birth, is subject to the same succession, in so far as it is not superseded by the rights of other members of my House, and more ancient rights of German ruling Houses. I promise you that I shall regard your national right as my own, and, so far as I am called upon to do so, will protect your rights and liberties.

“Schleswig-Holsteiners,—Firmly convinced that my right is your salvation, I promise for myself and my descendants to protect you against usurpation and illegal violence.

“Our common task is to put an end to this rule. I cannot now call upon you to repel force by force. Your country is occupied by foreign troops, and you have no arms. It is my duty, first of all, to appeal to the German Federal Governments for protection of my rights of government and your national privileges. The German Confederation has never opposed my legitimate succession.

“The regulations upon which the Governments of Germany rest are identical with those upon which my rights are founded, and the Governments of Europe will not oppose the truth, confirmed by experience, that a lasting condition cannot endure where an arbitrary arrangement of right prevails. I shall stand by you, as I have stood by you in battle, and shall not separate myself from you and from our rights.

“In conformity with the State fundamental laws, I therefore promise and swear to observe the Constitution and laws of the Duchies of Schleswig-Holstein, and to uphold the rights of the people. So help me God and His Holy Word.

“FREDERIC, Duke of Schleswig-Holstein.

“Castle of Dolzig, Nov. 16th, 1863.”

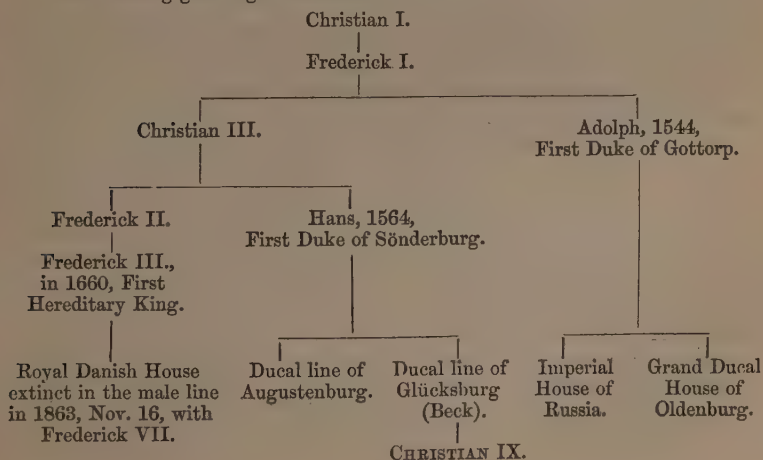


But the father of this aspirant to the Duchies had on the 30th of December, 1852, subscribed an Act, in which he declared, "*We, moreover, promise for us and our family by our princely word and honour, not to undertake any thing whereby the tranquillity of His Majesty's dominions and lands might be disturbed, nor in any way to counteract the resolutions which His Majesty might have taken, or in future take, in reference to the arrangement of the succession to all the lands now united under His Majesty's sceptre, or to the eventual organization of the Monarchy;*" and he accepted from the Danish Government a sum of 3,500,000 dollars in compensation for the surrender of his claims.

It appears strange, indeed, that a solemn renunciation of dynastic rights by a father, not for himself merely, but for his family, accompanied by the reception of a large sum of money as compensation, should not bind the son. The Germans, indeed, allege that the money was paid as compensation merely for the loss of property, and not for the surrender of seigniorial rights; but it must be remembered, that owing to the part which the then Duke of Augustenburg took in the rebellion of 1848, his whole estates became legally forfeited. At all events, he distinctly bound himself *and his family* not to disturb the right of succession "to all the lands then united under His Majesty's sceptre," which the King of Denmark might thereafter establish.

As the late King of Denmark, Frederick VII., had no issue and was the last of his line, it was some years ago thought desirable by the Great Powers, in conjunction with the Crown of Denmark, to provide for the eventual succession to the throne, by the terms of a solemn treaty<sup>6</sup>. Accordingly, in May, 1852, the Treaty of London was signed, whereby the succession was secured to the present King, Christian IX., whose Queen would, according to the *lex regia*, have been entitled on the death of Frederick VII. to reign

<sup>6</sup> The following genealogical table will be found useful :—



over Denmark-Proper and Schleswig, but she ceded her rights to her husband. As regards Holstein, or, at all events, Holstein-Gottorp, the legal heir to that Duchy, after the Sovereigns of Denmark, is the Emperor of Russia, as the head of the house of Holstein-Gottorp; but by the protocol of Warsaw in June, 1851, he ceded his rights of inheritance to the present dynasty. The Treaty of London provided that Prince Christian of Schleswig-Holstein-Sönderburg-Glücksburg, married to Louise, only daughter of the Landgravine of Hesse-Cassel, and named by King Frederick VII. as his successor, should be recognized by them, on the decease of Frederick, as King of Denmark. The first article declared his right "*to succeed to the totality of the States actually united under the sceptre of His Majesty the King of Denmark.*" And by the third article the rights and reciprocal obligations of the King of Denmark and the Germanic Confederation concerning the Duchies of Holstein and Lauenburg established by the Federal Act of 1815 and the Federal right existing at the time of the treaty, were declared not to be altered by the treaty.

To this treaty, Great Britain, Austria, Prussia, France, Russia, Sweden, and Denmark, were all parties; and it was afterwards acceded to by Hanover, Saxony, Wurtemberg, Oldenburg, and Hesse-Cassel. It was not submitted to the Federal Diet, as that was thought unnecessary and inexpedient after the assent of the chief Powers represented in that body had been separately obtained.

The new King issued on the 6th of December the following proclamation, addressed to the inhabitants of Holstein:—

"The order of succession to the Danish Monarchy was intended to be a labour of peace, undertaken by us without personal ambition, in the sole hope of serving the country. It has been accepted as public European law, because the integrity of the Danish Monarchy was recognized as being a necessity to European peace. Opposition, under the mask of unfounded hereditary claims, has, however, been raised against the measure, purposing the dismemberment of the Danish Monarchy. This opposition has also gained ground in Holstein, calling forth excitement and doubt. The maintenance of the Monarchy is one of our most important duties as a ruler. We cannot suffer officials to foster opposition, and are resolved to put down insurrectionary movements with armed force.

"The endeavours of many years to bring about an understanding upon the constitutional relations of the entire Monarchy have not been attended with success. While, however, we intend to give to the territories belonging to the German Confederacy an independent position in the kingdom, as has already been accomplished with the remaining portions of the Monarchy, we hope that when Holstein finds herself contented in constitutional freedom, and the pretext for foreign interference is thus removed, she will voluntarily incline to nearer connexion with the remainder of the country."

The question now discussed in the Frankfort Diet was whether there should be Execution (that is, administration of the Government) in the Duchies of Holstein and Lauenburg without reference to the disputed right of succession, or whether the Diet should enter into hostile Occupation of them, and hold them until it had itself decided to whom they rightfully belonged. Austria and Prussia declared in favour of the first view, and the Committee of the Diet, of which the Bavarian Minister was the reporter, in favour of the last. In the result, the Austro-Prussian demand was carried by a very small majority, which was due to the votes of the lesser German States, for Bavaria, Saxony, Wurtemberg, the Grand Duchy of Hesse and Baden, together with Nassau and Brunswick, voted for what was called Occupation, which was to give the Diet the right of determining the succession.

Federal Commissioners were appointed by the Diet to see that the Execution was carried out, and the Danish Government was summoned to withdraw its troops from the Duchies of Holstein and Lauenburg within seven days. The Saxon troops were put in march for Hamburg, in order to be the first to enter Holstein, and Austria and Prussia not only supplied soldiers to take part in the actual invasion, but held in readiness a large body as a reserve, in case resistance should be made by the Danes and hostilities begin.

The Prince of Augustenburg addressed a long letter on the subject of his claims to the Emperor of the French, who sent the following cautious reply:—

“My Cousin,—I have read your letter with a lively interest, and hasten to reply to it. I know of nothing more honourable than to be the representative of a cause which rests upon the independence and nationality of a people, and in that respect you may rely upon my sympathy, for I shall always be consistent in my conduct. If I have fought for Italian independence, if I have raised my voice for Polish nationality, I cannot, in Germany, entertain other sentiments nor obey other principles. But the Great Powers are bound by the Convention of London, and their assembling (*réunion*) could alone solve without difficulty the question which interests you. I, therefore, sincerely regret on this, as well as on many other accounts, that England has declined to attend the Congress which I proposed.

“It is a pity that the Diet has not been consulted respecting the rights of a Duchy which forms part of the German Confederation; Denmark may also have acted in some part wrongly towards Germany; but, on the one hand, I deplore that the Confederation has thought fit to intervene in Holstein before the question of succession has been decided, for the intervention, which may lead to the most serious complications, does not decide that question; and, should Denmark be oppressed by powerful neighbours, public opinion in France would turn in her favour.

"I therefore most sincerely hope that your claims may be investigated by the German Diet, that the result of its deliberations may be submitted to the Powers that signed the Convention of London, so that the national sentiment, which so energetically pronounces itself in Germany, may receive legitimate satisfaction by common consent.

"I have pleasure in taking advantage of this opportunity to offer you the assurances of my esteem and constant good will; whereupon, my Cousin, I pray God to have you in His holy keeping.

"NAPOLEON.

"Compiègne, Dec. 10, 1863."

The view taken by the British Government was indicated in a note addressed by Sir Alexander Malet, our Minister at Frankfort, to the Federal Diet. He said:—

"In consequence of instructions from the Government of Her Britannic Majesty, the undersigned has the honour to communicate to his Excellency Baron Von Kubeck, President of the Federal Diet, a copy of the London Treaty of May 8, 1852. The undersigned has the honour to request his Excellency to lay this treaty before the Assembly of the Federal Diet. The undersigned is at the same time instructed to remark that the High Federal Assembly will observe that by the treaty France, Great Britain, Russia, and Sweden agreed to recognize King Christian IX. as the successor to all the possessions held by His Majesty the late King of Denmark. This recognition has already taken place by all these Powers. The undersigned is, therefore, instructed to point out that if the Federal Assembly by any over-hasty steps enters upon a course opposed to the London Treaty serious complications might result.

"The undersigned is further instructed to notify to his Excellency the President of the Federal Assembly that the Government of Her Britannic Majesty is ready to discuss these subjects in a conference which should assemble at any place that might be agreed upon, and in which all the subscribers of the London Treaty, and a representative of the German Confederation should take part."

At the close of the Session of the Danish Rigsraad, on the 21st of December, a message from the King was read by the Minister-President, in which His Majesty stated:—

"At the time when this Assembly met in 1855 it was hoped that the Constitutional relations of the Monarchy were settled. Such would have been the case had the Federal Diet confined itself to its competency. The Constitution of the 18th of November rested upon the same basis as that of the present Constitution for the whole Monarchy. That Constitution also separated the common affairs of the Monarchy from those appertaining specially to the respective provinces composing it. It conferred



no competence upon the Rigsraad to interfere in matters hitherto concerning the provinces alone. . . . .

"A desire to dismember the Danish Monarchy has arisen in Germany. We hope, however, that Europe will, nevertheless, maintain our right to the hereditary succession. We have fulfilled every resolution of the Federal Diet concerning the Federal provinces. German troops have occupied Holstein and Lauenburg, although the latter has recently testified its satisfaction and loyalty to Denmark.

"Although we do not recognize the Execution on the part of the German Confederation as justifiable, we withdraw our troops to this side of the Eyder in order to avoid a collision."

The Federal Commissioners entered Altona, which is close to Hamburg, about the same time as the Saxon troops, and proceeded to administer the Government. They were received with the greatest enthusiasm by the inhabitants, with whom the Danish rule was beyond all doubt intensely unpopular. Demonstrations in favour of Prince Frederic of Augustenburg as Duke of Schleswig-Holstein took place every where, and he himself made his appearance at Kiel, where he was welcomed by deputations, and greeted as the rightful Duke.

The most violent opponents of the Danish right of succession to the Duchies of Schleswig and Holstein were the smaller German States, many of which had expressly acceded to the Treaty of London. We need not comment on this flagrant disregard of good faith and treaty rights. In the mean time the Danish Government had withdrawn the Proclamation of the 30th of March, which had been the only pretext for the Federal interference; and efforts were made by the British Government to induce the King to procure the repeal of the Constitution of November, by which the Germans alleged Schleswig had, contrary to good faith, been incorporated with Denmark-Proprietary. Lord Wodehouse was sent from England on a special mission to Copenhagen, but his errand proved abortive. The feeling in Denmark against such a concession as was demanded was too strong, and the Ministry, rather than propose such a measure to the Rigsraad, resigned office. Bishop Monrad was commissioned by the King to form another Ministry, which he succeeded in doing, but at the close of the year the Constitution of November remained in full force, and the Danish and German troops confronted each other on the opposite banks of the Eyder, where a single shot fired may bring about a hostile collision, and light up the flames of a general war in Europe.

## CHAPTER IV.

## GERMANIC CONFEDERATION—RUSSIA AND POLAND.

GERMANIC CONFEDERATION.—Proposal of the Emperor of Austria for a Congress of German Sovereigns—They meet at Frankfort—Speech of the Emperor at Opening of the Congress—Collective Answer of the other Sovereigns and Princes—Invitation to the King of Prussia to attend—His Refusal—M. Bismark's Despatch on the subject—Analysis of the "Reform Act" arrived at by the Congress—Close of the Congress, and parting Address of the Emperor of Austria.

RUSSIA AND POLAND.—Outbreak of Insurrection in Poland—Cause of this the Con-  
scription—The Central Committee—General View of the Revolt—Its progress under  
Langiewicz and other Leaders—Manifesto to Europe of the Polish Chiefs—Inter-  
ference of the British Government—The Emperor of Russia's offer of an Amnesty  
rejected by the Poles—Earl Russell proposes the Six Points—The Russian View of  
the struggle—Despatches of Prince Gortschakoff—The Six Points rejected by Russia  
—Strong feeling in Russia against Poland—Attempt to assassinate General Berg—  
Destruction of the Zamoyski Palace—The Grand Duke Constantine resigns the  
government of Poland—Russian mode of putting down the Rebellion.

## GERMANIC CONFEDERATION.

THE chief interest in the proceedings of this unwieldy body in the present year—if we except the resolutions come to by the Federal Diet on the Schleswig-Holstein question, of which an account has been given under the head of Denmark—consists in the meeting of a Congress of German Sovereigns and Princes at Frankfort, in the month of August, to discuss a project for the reformation of the Bund. The idea emanated from the Emperor of Austria, who has certainly shown himself an enlightened monarch, anxious to secure to his own country the blessings of constitutional Government and representative institutions; and he invited the Potentates of Germany to meet him at Frankfort and deliberate upon a scheme of reform. The Emperor had a personal interview with the King of Prussia, and tried to induce him to attend, but the King declined.

The heads, however, of almost the whole of the other Kingdoms, Principalities, and Free Towns of Germany, accepted the invitation, and in the beginning of August Frankfort was the scene of a gathering of Kings and Princes such as perhaps has never before been witnessed in Europe.

A great banquet was given by the Senate of Frankfort to their illustrious guests, and at it the Emperor of Austria proposed the following toast:—

"I speak in the names of the Sovereigns here present, and thank

the Senate and municipality of the free city of Frankfort for the hospitable reception given to us. I think that we, the Princes of Germany assembled in this federal city, cannot better express our gratitude to our patriotic hosts than by proving to them that a heartfelt love for our common Fatherland is the bond of union between it. We all cherish a friendly feeling towards this honourable city, which is so rich in historical recollections, and your illustrious guests will therefore readily join me in emptying a cup to the welfare and increasing prosperity of Frankfort."

The Emperor opened the Congress with the following speech, which he read with an evident feeling of sincerity:—

"Most illustrious and beloved Brothers and Cousins, most valued Confederates,—An assembly of the heads of the German nation, for the purpose of deliberating on the welfare of the Fatherland, is an event which has not occurred for centuries. May we, by the blessing of an Almighty Providence, be on the eve of a happy future.

"Confiding in the elevated sentiments of my fellow-Princes, confiding in the just spirit of the German people, who have been enlightened by experience, I have sought to bring about a meeting at which the German Princes should in a fraternal spirit unite their hands for the strengthening (*Befestigung*) of the Confederation. I have deemed it my duty openly to express my conviction that Germany justly (*mit Recht*) looks forward to a development of its constitution (*Verfassung*), which shall be in accordance with the necessities of the times, and I have come in person to exchange ideas and opinions with my Confederates, and to state what I consider feasible, and what I, for my part, am ready to grant.

"Your Majesties, and all of you, my illustrious and beloved Confederates, accept my thanks for your kindness in consenting to act with me.

"I have forwarded to my illustrious Federal Allies the draft of a project of reform, which was drawn up under my immediate superintendence.

"Being of opinion that the sphere of action of the Bund should be enlarged, I, in my plan of reform, propose that the Executive power shall be placed in the hands of a Directory, which shall have a Federal Council at its side. We require the periodical meeting of an assembly of Deputies, which shall have full power to participate in the legislation and in the control of the finances of the Bund. I propose that there shall be periodical meetings of the German Princes. By the introduction of an independent Federal Court a satisfactory guarantee is given for the proper administration of justice in Germany. In all these matters the principle of the equality of the several independent States will, as strictly as possible, be upheld. At the same time due regard must be paid to their political influence and to the number of their inhabitants, in order that an effective executive power

and a general representation in the Bund may be inseparably united.

"All details are based on one single idea—an idea that has taken complete possession of my mind. It is, that the time has come for renewing, in a way which shall be in accordance with the spirit of the times, the Bund which our ancestors entered into. By allowing our peoples to participate in the Bund we shall give new vigour to it, and enable it to uphold to the end of time the honour, power, security, and welfare of Germany as one great and inseparable whole.

"Doubtless my propositions will admit of improvement. I readily admit that such is the case. But I beg my Confederates to take into consideration whether it is not our common interest not to postpone, even for a time, the acceptance of a plan which, as it now stands, is a great improvement on the present state of things in Germany. In the proposed Act of Reform (*Reform-Acte*) the necessary means for repairing its defects in a constitutional way are pointed out. I see no prospect of finding a firm basis in the question relative to the future of Germany by means of prolonged deliberations. The question must be settled by the prompt, unanimous, and disinterested resolves of the German Princes, who, in matters of inferior moment, must magnanimously make sacrifices for the attainment of the great object which they have in view.

"Most illustrious and beloved Brothers and Cousins, most valued Confederates,—As you all share with me the elevating impression of the present moment, so must you participate in the deep regret which I feel that Prussia is not represented here. One of my most heartfelt wishes has not been fulfilled. I was not so happy as to be able to persuade King William of Prussia to participate in person in our work of union (*Einigungs-werke*); but, nevertheless, I have not lost the conviction that the results of this day will be salutary. The King of Prussia fully appreciated my arguments concerning the urgent necessity for a reform of the Bund. King William had no other objection to make to my proposition to hold a Congress of Princes than that the necessary preparations for such an important step had not been made. In principle, the King was not opposed to an assembly of Princes, but he was of opinion that a Conference of Ministers ought to precede it. I called His Majesty's attention to the fact that all former negotiations by means of second persons (*Mittels-personen*) had been fruitless, and that it was for us to reform the Bund, and that we were firmly resolved that 'the German nation should no longer be deprived of the means of enjoying greater political development.' Let us pass quickly over mere matters of detail for the sake of the incalculably more important whole. In good federal faith, let us preserve for the mighty kingdom of Prussia the place to which she is entitled, and let us hope that our unity will produce an indelible impression on all German hearts.



“In as far as I am personally concerned, my illustrious Confederates and Friends, I shall always feel satisfied to have done all in my power to draw closer the ties which unite all the German peoples, and to make the Bund, as one great Power (*Gesamtmacht*), a boon (*Heil*) for Germany and a guarantee for the peace of Europe.”

The collective answer of the other Sovereigns and Princes to the Speech of the Emperor of Austria was read by the King of Bavaria, and was in the following terms:—

“At the invitation of your Majesty we have come here, all animated, I do not doubt, with the same federal and patriotic sentiments which have dictated the invitation itself, and penetrated with the ardent wish to give a legitimate satisfaction, salutary for all parties, to the desire to develop the Federal Constitution in a manner in harmony with the spirit of the age. Aware of the existence of this harmony as to object and tendencies, we have met without knowing in detail the propositions which your Majesty intends to submit to our common deliberation. We have done so in the full trust that the reciprocal spirit of right and common devotion to all the great collective interests, in which our fathers founded the Germanic Confederation in the manner and in accordance with the situation of their time, will penetrate and carry also these propositions. We trust that they will form a basis upon which we shall be able to establish, in the spirit and according to the needs of our time, an edifice capable of giving and preserving to our nation—which in intellectual and moral capacity, in culture, and in activity, as well as in respect of material force, is behind no other—abroad, power in the most concentrated forms, and at home the rich organization and vital activity which befit its history and its nature. It is in this spirit that I will examine conscientiously the propositions of your Majesty, and give my opinion of them; and I think in so saying I have expressed the mind of all the Confederates here met. Your Majesty has yourself said that these propositions were susceptible of improvement; and although I desire very ardently that the principal bases of the plan of reform be approved promptly and with unanimity, without prolonged deliberations, and that, agreeably to ancient German usages, the Princes themselves should open to the nation the path of its development, I would not, nevertheless, desire to exclude the possibility of introducing partial modifications in these fundamental bases of our first meeting, especially modifications which would be of a nature to facilitate a speedy understanding, and give to it the speedy action of a free resolution. I share deeply with your Majesty, and certainly all our dear Confederates share it with me, the regret that we cannot yet salute His Majesty the King of Prussia among us. Let me firmly hope that at our next meeting this strong ring will complete the great chain of German power and grandeur, and let us not forget that this hope will be realized so much the more quickly

as our resolutions are to-day prompt and unanimous. The peoples of Germany have enjoyed during more than half a century, excepting some brief interruptions, peace, law, and loyalty. Let us not disavow it, for it has often been misunderstood. It is the Germanic Confederation and its constitution which formed the basis upon which the peace flourished. We no longer misunderstand that this basis needs to be developed agreeably to the spirit of the age, and especially by the organic introduction of a representation of the various peoples. The end which we aim at is clearly before our eyes, although the paths which conduct to it are not yet prepared, and are in part concealed from us. Let us engage in the work with calmness and firmness—with a sincere and honest will; then the benediction of the All-powerful will be with us, and will crown our labours."

The only German Princes who had declined to take part in the Congress were the King of Prussia, whose contingent to the Federal army is 79,484 men, and the Prince of Lippe-Detmold, whose contingent is 691<sup>1</sup>. As the absence of the Prussian Monarch

<sup>1</sup> The Margrave of Hesse-Homburg, who is an Austrian Lieutenant-General, did not appear at the Congress, but he sent in a declaration that he would agree to any thing recommended by the Emperor Francis Joseph.

It may be interesting to see what is the relative proportion of the populations of the different Kingdoms and States that comprise the great German Confederation, *Der Deutsche Bund*.

The thirty-five States of the Confederation include one Empire, five Kingdoms, seven Grand Duchies, one Electorate, eight Duchies, one Landgravate, eight Principalities, and four Free Towns, viz. :—

|   | Population. | Census of     |
|---|-------------|---------------|
| 1. Austria, an empire, the provinces belonging to the Confederation being :—The archduchy of Austria, the duchies of Salzburg, Styria, Carinthia, Carniola, and Silesia; the kingdom of Bohemia, the margravate of Moravia, the county of Tyrol and Vorarlburg, the city and territory of Trieste; the district of Gorizia (Görtz), and part of the district of Istria and the duchies of Auschwitz and Zator, parts of Galicia | 12,813,263  | Dec. 31, 1857 |
| 2. Prussia, a kingdom, including the provinces of Pomerania, Silesia, Brandenburg, Saxony, Westphalia, and the Rhenish Provinces; together with the principality of Hohenzollern and the territory of Tahde (acquired in 1853 from Oldenburg for the purpose of a maritime establishment)   | 14,139,008  | Dec. 3, 1861  |
| 3. Bavaria, a kingdom   | 4,689,837   | —             |
| 4. Saxony   | 2,225,240   | —             |
| 5. Hanover  | 1,888,070   | —             |
| 6. Wurtemberg   | 1,720,708   | —             |
| 7. Baden, a grand duchy   | 1,369,291   | —             |
| 8. Hesse-Darmstadt, a grand duchy   | 856,250     | — [1861       |
| 9. Mecklenburg-Schwerin   | 548,449     | End of Dec.   |
| 10. Mecklenburg-Strelitz  | 99,060      | 1860          |
| 11. Saxe-Weimar   | 273,252     | Dec. 3, 1861  |
| 12. Oldenburg   | 295,242     | —             |
| 13. Luxembourg (part of the kingdom of the Netherlands)   | 196,804     | Dec. 31, 1861 |

was a heavy blow and discouragement to the whole scheme, the assembled Sovereigns and Princes resolved to make an effort to induce His Majesty to attend; and for this purpose the following letter was written in their joint names, and taken by the King of Saxony to Baden, where the King of Prussia was then staying:—

“Sire,—The Princes assembled here on the invitation of the Emperor of Austria have witnessed with sorrow the absence of your Majesty. In the propositions of the Emperor of Austria we have recognized a suitable basis for our deliberations, the result of which we shall submit in all cases to the sanction of your Majesty, conformable to the Federal Constitution.

“But we express the ardent wish that your Majesty, who is called upon to take so large a part in the results of our efforts, should participate in our deliberations, to bring to a good termination the great work, the necessity of which you yourself have admitted.

“We therefore address a pressing prayer to your Majesty to join us. The King of Saxony has taken upon himself to present this letter to you in the name of us all, and to be the interpreter of our wishes.”

The King of Prussia, however, refused to attend, and a second invitation was addressed to him in almost the same terms as before. He then sent the following reply, addressed to the Emperor of Austria:—

“Baden-Baden, Aug. 20.

“Very Illustrious and very Mighty Prince, dearly beloved Brother and Friend,—Your Majesty, in common with our exalted federal allies, the German Princes and representatives of Free

|   | Population. | Census of     |
|---|-------------|---------------|
| 14. Hesse-Cassel, an electorate . . . . .   | 738,454     | Dec. 3, 1861  |
| 15. Nassau, a duchy . . . . .   | 456,567     | —             |
| 16. Brunswick „ . . . . .   | 281,697     | —             |
| 17. Saxe-Meiningen, a duchy . . . . .   | 172,341     | —             |
| 18. Saxe-Altenburg „ . . . . .  | 137,162     | —             |
| 19. Saxe-Coburg-Gotha „ . . . . .   | 159,431     | —             |
| 20. Holstein and Lauenburg (part of the kingdom<br>of Denmark), a duchy . . . . . | 594,566     | 1855          |
| 21. Anhalt-Dessau Köthen, a duchy . . . . .                                       | 124,013     | Dec. 3, 1861  |
| 22. Anhalt-Bernburg „ . . . . .   | 57,811      | —             |
| 23. Hesse-Homburg, a landgravate . . . . .  | 26,817      | —             |
| 24. Schwarzburg-Sondershausen, a principality . . . . .                           | 64,895      | —             |
| 25. Schwarzburg-Rudolstadt „ . . . . .  | 71,613      | —             |
| 26. Waldeck-Pyrmont „ . . . . .   | 58,904      | —             |
| 27. Lippe-Detmold „ . . . . .   | 108,513     | —             |
| 28. Schaumburg-Lippe „ . . . . .  | 30,774      | —             |
| 29. Reuss-Griez (senior branch) „ . . . . .                                       | 42,130      | —             |
| 30. Reuss-Schleiz (junior branch) „ . . . . .                                     | 83,360      | —             |
| 31. Liechtenstein „ . . . . .   | 7,150       | —             |
| 32. Hamburg, a free town . . . . .  | 229,941     | 1860          |
| 33. Bremen „ . . . . .  | 98,575      | Feb. 16, 1862 |
| 34. Lubeck „ . . . . .  | 49,482      | Sept. 1, 1857 |
| 35. Frankfort „ the seat of the Federal Diet . . . . .                            | 83,380      | Dec. 3, 1861  |

The whole population is 44,802,050 inhabitants.

The total military force of the Confederation is 503,072 men.

Cities, assembled at Frankfort, has forwarded the renewed invitation which His Majesty the King of Saxony has been kind enough to convey to me with a verbal explanation, and I have the honour, after a careful and federal consideration of the contents, to reply as follows :—

“In my letter of the 4th inst. I expressed to your Majesty my readiness to co-operate in an improvement of the Federal Constitution in accordance with the age, and, at the same time, expressed the conviction that if the intended aim was to be reached, such a work could not be commenced by a meeting of Sovereigns without harmonious preparatory discussions; and on this account I regret to be obliged to decline your Majesty's invitation to be present at the meeting at Frankfort on the 16th inst.

“If I unwillingly repeat my declination of the invitation, which in its form is so honourable to me, my conviction is still the same as that expressed in my explanation of the 4th inst.; and I retain it the rather as I have yet received no official information of the basis of the propositions. The information which has reached me by other means only strengthens me in the view to fix my determination only when, by business-like deliberations on the matter by my Council, the proposed changes in the Federal Constitution may be harmoniously discussed in their relations to the just power of Prussia and to the just interests of the nation. I owe it to my country and the cause of Germany to give no explanations which may bind me to my federal allies before such discussion has taken place. Without such, however, my participation in the discussions would be impracticable.

“This consideration will not restrain me from giving the same consideration to any communication which my federal allies may transmit to me which I have always devoted to the development of the general interests of the country.

“I pray your Majesty and our exalted federal allies assembled in Frankfort to accept that most sincere expression of true federal friendship with which I remain your Majesty's affectionate brother and friend,

“WILLIAM.”

At the same time, M. Von Bismark, the President of the Council of the Prussian Government, addressed a despatch to M. Von Sydon, the representative of Prussia at the Frankfort Diet, in which he entered at some length into the reasons why the King of Prussia declined to take part in the Congress. He said :—

“When His Majesty takes part in the deliberations of an Assembly of German Princes, it is conformable to his dignity that the declarations which he is bound to make in presence of the Confederate Sovereigns—declarations which decide the future of his monarchy and his position in the Germanic Confederation—



should be the well-considered expression of the thought and will of the King, and have a binding force. The principles always followed in the Prussian monarchy demand that resolutions be not taken in a competent place concerning the interests of the State except after a thorough examination legally prescribed by His Majesty. The King is less disposed than ever to depart from this rule in a case in which are involved decisions the most important and the most serious in their consequences which a Sovereign can be called on to take in the interest of his States. When, consequently, His Majesty was invited in an unexpected manner, on the occasion of a journey to Gastein, to participate, after a brief delay, in decisive deliberations as to a fundamental renovation of the Federal bonds, and that upon the basis of a programme which was only to be submitted to His Majesty at Frankfort, the convictions with which His Majesty is animated concerning his duties towards his own country, as well as towards the Princes of the Germanic Confederation, have prevented him from accepting that invitation. These last duties, and what he owes to his own dignity, would not have permitted His Majesty to give in the debates other than positive and definitive declarations; and His Majesty believes that his royal duties to his Crown and subjects demand that that be only done after a thorough examination, and the official elaboration of the matters to be declared.

“These considerations are in themselves drawn naturally from a just appreciation of the obligations of every Sovereign who rules a great State; but they have acquired a still greater force since the public journals have made us aware of the Reform propositions in presence of which the Sovereigns convoked at Frankfort by the Emperor of Austria found themselves without being prepared beforehand. That a proposition so extensive, and modifying so profoundly, whether in a direct manner, or by its relations with the very various dispositions of the existing Federal treaties, the rights of Sovereignty and treaty rights of all the German States, could be submitted to the Princes in the form of a surprise, and in order that they might decide rapidly in person in a few days—that is what we were not prepared for, even after the communications made by the Emperor of Austria to His Majesty on the 3rd of this month. And even if this project, then without doubt complete, had been communicated completely on the 3rd to His Majesty, I should have considered it as an act of precipitation if the councillors of His Majesty had desired to prepare regularly the royal resolutions before the 16th, even keeping out of view the local and personal difficulties of the moment.

“Your Excellency will receive from the Ministry at Berlin the more detailed development of the views of the Government of the King upon our own plans of reform, and the actual propositions of Austria. For the moment I restrict myself to declaring that

these last, as we think, do not correspond to the position to which the Prussian monarchy has right, nor to the legitimate interests of the German people. Prussia would renounce the position which her power and her history have made for her among the whole of the European nations, and would risk making the forces of the country serve for purposes alien to the interests of the country, and for the determination of which we could not exercise the degree of influence and control to which we can with justice pretend."

We give an analysis of the Reform Act, the result of the labours of the Congress, which was signed by the following members of the Confederation:—The Emperor of Austria, the King of Bavaria, the King of Saxony, the King of Hanover, the Crown Prince of Wurtemberg (for the King, his father), the Elector of Hesse, the Grand Duke of Hesse-Darmstadt, the Duke of Brunswick, the Duke of Nassau, the Duke of Saxe-Leiningen, the Duke of Saxe-Coburg-Gotha, the Grand Duke of Mecklenburg-Strelitz, the Grand Duke of Oldenburg, the Duke of Anhalt-Köthen (who was represented by the hereditary Prince of Anhalt-Köthen), the Prince of Schwarzburg-Sondershausen, the Prince of Schwarzburg-Rudolstadt, Prince Liechtenstein, Prince Reuss of the younger branch of the family, Prince Reuss of the elder branch (represented by the King of Saxony), Prince Schaumburg-Lippe, and the Burgomasters of the Free Cities of Lubeck, Frankfort, Bremen, and Hamburg. The Princes whose names were not attached to the Reform Act were the King of Prussia, the King of Denmark, the Grand Duke of Baden, the King of Holland, the Grand Duke of Mecklenburg-Schwerin, the Grand Duke of Saxe-Weimar, the Duke of Saxe-Altenburg, and Prince Waldeck.

"Article 1. The objects of the German Confederation are:—The maintenance of the security and power of Germany in regard to foreign countries; the maintenance of public order at home, the furtherance of the interests of the German nation, &c.

"Art. 2. A Directory to be formed for the management of the affairs of the Confederation. A Federal Council to be formed of the Plenipotentiaries of the Governments. An assembly of Federal delegates to be convoked periodically. An assembly of Princes to meet at stated periods. A Federal Court of Justice to be established.

"Art. 3. The Directory of the Bund to consist of six 'voices'—of the Emperor of Austria, of the King of Prussia, of the King of Bavaria, of the Kings of Saxony, Hanover, and Wurtemberg, who shall alternately be in the Directory for the period of one year; of a representative of the Grand Duke of Baden, of the Elector of Hesse, of the Grand Duke of Hesse-Darmstadt, of the King of Denmark (for Holstein and Lauenburg), of the King of the Netherlands (for Luxemburg), of the Duke of Brunswick, of the Grand Dukes of Mecklenburg-Schwerin and Mecklenburg-Strelitz, and of the Duke of Nassau; and of a representative of the Grand Duke

of Saxe-Weimar, of the Duke of Oldenburg, of the Dukes of Saxe-Meiningen, Saxe-Altenburg, Saxe-Coburg-Gotha, and Anhalt; of the Princes of Schwarzburg-Sondershausen, Schwarzburg-Rudolstadt, Liechtenstein, Waldeck, Reuss of the older line, Reuss of the younger branch of the family, Schaumburg-Lippe, Lippe-Detmold, of the Margrave of Hesse-Homburg, and of the four Free Cities. Members 5 and 6 of the Directory to be elected for one year. As a rule, the members of the Directory will be represented by a Plenipotentiary, but they reserve to themselves the right of appearing in person on extraordinary occasions.

“Art. 4. The Federal Council to be composed of the seventeen ‘voices’ of the *Engerer Rath* (Smaller Council). But as Austria and Prussia are now to have three votes each, the number of voices in the Federal Council will be twenty-one.

“Art. 5. Austria to preside in the Directory and in the Federal Council, but if the Austrian Plenipotentiary should be unable to appear Prussia is to take the chair. No other privilege is attached to the Presidency than the formal direction of affairs. All the resolutions of the Directory to be taken by a simple majority of votes. Should the votes be equally divided, the party with which the representative of the Dukes, Princes, and Free Cities votes will be understood to have the majority.

“The resolutions of the Federal Council will be taken by a simple majority of votes, except in certain cases which are mentioned below.

“The Plenipotentiaries in the Directory are bound to obey the instructions received from their respective Governments. The relations between the Directory and the separate Governments will be maintained by their Plenipotentiaries in the Federal Council. The Military Commission of the Bund is subject to the Directory. The seat of the Directory and Federal Council is Frankfort-on-the-Maine.

“Art. 6. The executive power of the Bund to be in the hands of the Directory. In some cases, which will be specified, the Directory is bound to consult the Federal Council, and to follow its opinions.

“Art. 7. In as far as Foreign Powers are concerned the Directory is the representative of the Bund. The Directory to appoint the diplomatic agents of the Confederation.

“Art. 8. The Directory has to care for the external security of Germany. Should there be any danger of an attack on the Confederation, or on any part of the Federal territory, the Directory to take the necessary steps for the defence of the same. No formal declaration of war can be made without the consent of two-thirds of the ‘voices’ of the Federal Council. Should there be danger of a war between a Foreign Power and a Federal State which has possessions not belonging to the German Bund, the Directory must leave it to the Federal Council to decide whether the Bund will take part in the war. There must be a majority of two-

thirds of the voices in the Federal Council before war can be declared.

"If the territory of the Bund is attacked by hostile forces, Germany, as a matter of course, is at war. The Directory has a right to take steps for restoring peace, but the conditions must be made by the Federal Council, and no peace can be concluded unless with the consent of two-thirds of the voices of the said Council. The Directory will have to uphold the neutrality of the Bund, in accordance with Art. 45 of the Act of Confederation. Should there be quarrels between Federal States and foreign Powers, the Directory has to act in accordance with the instructions contained in Arts. 36 and 37 of the Act of Confederation.

"Art. 9. The Federal Governments have to take care that peace and order are maintained in their States, but the Directory has to see that the internal peace of Germany is not imperilled.

"Art. 10. The Directory has to see that peace and concord prevail between the different members of the Bund. Serious disputes to be referred to the 'Bundes-Gericht,' the new Federal Court of Justice.

"Art. 11. In virtue of resolutions taken by the Federal Council, the Directory to have the right to make propositions in legislative matters. No propositions for an alteration of the constitution of the Bund, or for a supplement (*Zusatz*) to the same, can be made 'unless unanimity prevail in the Federal Council.' No resolutions can be taken in regard to religious matters unless with the unanimous consent of the members of the Confederation.

"Art. 12. The Directory has to see that the resolutions of the Bund are properly carried out, and, if necessary, by means of an adequate number of troops.

"Art. 13. The Directory to have the management of all the military matters of the Confederation.

"Art. 14. The Directory to have the management of the financial matters of the Directory. Every three years it will, with the approval of the Federal Council, lay before the House of Deputies the estimate of the ordinary and extraordinary expenditure of the Bund. Should the Directory not be able to come to an understanding with the Chamber of Deputies in respect to the estimates, the sum expended during the preceding period to be disbursed. In order to cover an unexpected outlay the Directory may, with the consent of the Federal Council and the Chamber of Deputies, levy the sums required. If the Directory cannot come to an understanding with the National Assembly, it has to give to that body a satisfactory explanation as to the cause of the extraordinary expenditure. Every three years the Directory has to lay before the Chamber of Deputies its account of ways and means.

"Art. 15. The Directory to convoke, open, prorogue, close, and dissolve the Assembly of Federal Delegates. The Directory



to represent the Federal Governments *vis-à-vis* the Assembly of Deputies.

“OF THE ASSEMBLY OF DELEGATES.

“Art. 16. The Federal Assembly to be formed of delegates from the representative bodies of the several German States. Austria to send 75 delegates from the members of the Reichsrath who were elected in the States belonging to the German Confederation, or from the members of the Diets of provinces belonging to the same. Prussia to send 75 delegates from the representatives of the German provinces in the Prussian Diet. Bavaria to send 27 delegates; Saxony, Hanover, and Wurtemberg, 15 each; Baden, 12; Hesse-Cassel, 9; Hesse-Darmstadt, 9; Holstein and Lauenburg, 5; Luxemburg and Limburg, 4; Brunswick, 3; the two Mecklenburgs, 6; Nassau, 4; Saxe-Weimar, 3; Saxe-Meiningen, Saxe-Altenburg, and Saxe-Coburg-Gotha, 2 each; Oldenburg, 3; and the other States one each. The Margravate of Hesse-Homburg is also to have a representative in the Federal Diet. The four Free Cities will have two representatives instead of one, as was originally proposed. In States in which there are two Chambers the Upper House will elect one-third, and the Lower House two-thirds of the delegates. The Federal Assembly will consist of 302 persons.

“Art. 17. The delegates to be elected in accordance with the laws which are in force in the countries they are to represent. The Assembly of Delegates to meet once in three years, and in the month of May. The Assembly can be prorogued by the Directory for a period not exceeding two months, and it is at liberty to adjourn for eight days. Should the Assembly be dissolved, the Directory has immediately to issue orders for new elections.

“Art. 19. The Chamber of Delegates to elect its Presidents, Vice-Presidents, and Secretaries; its sittings to be public. A House is formed when two-thirds of the delegates are present. As a rule, a Bill may be passed by a simple majority of votes.

“Art. 20. The Chamber of Delegates has a right to pass resolutions on the following subjects:—1. On alterations in the Act of Confederation and its supplements. 2. On the Budget of the Bund. 3. For the establishment ‘of general features for the legislation of the separate States,’ in regard to matters connected with the press, the right of association, the right of domicile, and of all matters of common interest which may at some future time be brought under the direct influence of the Bund.

“Bills relative to an alteration of the constitution of the Bund, to a supplement to the same, or to matters which have hitherto been settled by the legislative bodies in the separate States, can only be passed by a majority of at least three-fourths of the members of the Federal Assembly.

“The Federal Assembly, like the Directory, has a right to bring in Bills, but if a Bill contains propositions for an alteration of the

constitution of the Bund, or of a supplement to the same, it must, before it can be brought in, 'have the approval of at least three-fourths of the members of the Assembly.'

"Art. 21. In all matters which concern the separate States rather than the Bund the Federal Assembly has only a right to deliberate and mediate.

"Art. 22. In all Federal matters the Chamber of Delegates has a right to make representations and complaints.

"OF THE ASSEMBLY OF PRINCES.

"Art. 23. As a rule, the Assembly of Princes will meet after the close of the ordinary and extraordinary sittings of the Chamber of Delegates. The Emperor of Austria and the King of Prussia will together invite the Princes to assemble. The Princes may be represented by members of their respective families. [It was proposed to let the mediatised German Princes have two representatives in the Assembly, but the motion was set aside.]

"Art. 24. The Princes to deliberate as independent Sovereigns, who are on an equality with each other.

"Art. 25. The Assembly of Princes takes into consideration the results of the deliberations of the Chamber of Deputies, and finally disposes of the propositions made by the same. It orders the promulgation, by the Directory and by the separate States, of the acts it has sanctioned. It examines into the representations and complaints of the Chamber of Delegates. It can take into consideration propositions for the reception of new members into the Confederation, and for a change in the right of voting of its present members."

The Congress was closed at the end of August, after a final address delivered by the Emperor of Austria, in which he said:—

"Our deliberations are at an end, and my illustrious allies will permit me to address a few parting words to them.

"In ten sittings we have come to an understanding in respect to a long series of the most difficult and complicated questions. In no single case have special interests prevented our finally coming to a conclusion. We have all given proof of our readiness to make sacrifices. This, as it appears to me, is a great fact, and when we look back to the numerous proofs we have given of self-abnegation and concord, it will be with satisfaction. I may, perhaps, be excused for having a feeling of pride at seeing that my hope of meeting with direct co-operation on the part of the German Princes has been justified.

"Allow me to express my gratitude for the friendship and confidence which my illustrious allies have displayed towards me.

"The first Congress of Princes now separates with the wish that a second, in which all members of the great whole may be united, may soon meet and crown our labours.

"May the blessing of the Almighty be on us all and on Germany."

## RUSSIA AND POLAND.

Unhappy Poland—at least that part of it which belongs to Russia—was throughout the whole of this year the theatre of a sanguinary revolt, which spread misery and destruction over the whole country, and taxed to the utmost all the resources of Russia to extinguish the flame of insurrection.

The immediate cause of the outbreak was a pitiless system of conscription, or “partial recruiting,” as it was called, by Russia, which, having been abolished in Poland by the Emperor Nicholas, was at the beginning of the present year revived in the most odious and oppressive form. It was carried into effect, not by drawing lots, as formerly, but the Government itself selected the men best fitted for military service, and took them exclusively from the population of the cities; the most active and enterprising amongst the inhabitants. To use the words of Lord Napier, the British Ambassador at St. Petersburg, to Earl Russell, in a despatch dated January 26, 1863, “In fact, it was a design to make a clean sweep of the revolutionary youth of Poland; to shut up the most energetic and dangerous spirits in the restraints of the Russian army: it was simply a plan to kidnap the opposition, and carry it off to Siberia or the Caucasus.” And Lord Bloomfield, writing to Earl Russell, from Berlin, on the 2nd of February, said, “I asked Count Rechberg how he accounted for the outbreak. He explained that, according to the information he had received, the Russian Government were partially in fault. They were aware of a conspiracy, and had obtained a list of people supposed to be concerned in it, and in order to prevent the outbreak they had ordered the seizure of these people for military service, and found them fully prepared for armed resistance.” The Grand Duke Constantine was the Viceroy of Poland, and it was under his auspices that the plan was put into execution. When it was first threatened, a secret and invisible body, called the Central Committee, issued clandestine publications to the people, urging them to resistance. It was on the evening of the 14th of January that the Grand Duke signed the order for commencing the conscription. At midnight police-agents and soldiers commenced the work in Warsaw. They surrounded the houses noted down in their list, and a detachment entered each house to seize the men designated to serve; in the absence of the young man his parents were seized as guarantees for his appearance. During the night 2500 men were thus carried off. Next day, thousands of young men had taken to flight. The Central Committee issued a manifesto calling upon them to form themselves into armed bands in the different districts, and Russian troops were sent after them to capture or destroy them. The people were stung to madness by these measures, and the flame of revolt burst forth

simultaneously in a variety of places. The Central Committee denounced the Polish Marquis Wielopolski, who was formerly governor of Warsaw, and who now supported the conscription, as a traitor to his country, and they incited the Poles to resist Russian tyranny to the last extremity.

It is not our intention to attempt to give a detailed account of the progress of the insurrection. Indeed, this would be impossible, for we have not the authentic materials to enable us to do so. The whole of Russian Poland was in one vast conspiracy against the Government; and the insurgents, without plan or combination, whenever they could assemble in sufficient numbers fought with the fury of despair against their oppressors. They sought refuge in the gloomy depths of the forests, from which they issued to cut off detachments, or engage in furious combat with far superior forces, and in some cases gained signal successes over the regular troops of Russia<sup>2</sup>. The railway officials were heart and soul in the movement, and did all in their power secretly to assist it by transporting combatants in disguise, and misleading the Russians as to the whereabouts of their enemies. And in the midst of all, and pervading all like a deadly atmosphere, was the invisible power of the Central Committee, which issued its mandates for assassination and directed the machinery of the revolt, defying all the practised vigilance of the Russian police to discover who they were or where they had their local habitation. It reminds us of the awful power of the *Vehmgericht* of the middle ages; and it resembled that secret tribunal not only in the secrecy with which it was shrouded, but the swift and appalling certainty with which its victims were struck down by the knife of the murderer.

To induce the peasantry to join the insurrection the Committee issued the following decree:—

“Art. 1. Land held under any title whatsoever, *corvée*, rent, or otherwise, by small farmers, together with all buildings thereon, becomes from this date the freehold property of the holder, without any obligation of rent or otherwise, except the duty of paying taxes and of serving the country.

“Art. 2. The former proprietors will receive compensation from the national funds by means of Government Stock.

“Art. 3. The amount of compensation and the nature of the stock will be settled by separate decrees.

<sup>2</sup> Writing from Warsaw to Earl Russell, on the 7th of March, Colonel Stanton thus describes the Russian forces in Poland:—

“This would make a total of about 70,000 Infantry, 3000 to 4000 Regular Cavalry, and from 6000 to 8000 Cossacks, with about 120 guns, and from 3000 to 4000 Artillery-men, besides the companies of Sappers, Invalids, and others detached for special service.

“In addition to this army in the kingdom, the forces stationed in the governments of Lithuania, Volhynia, and Podolia, must amount to about 50,000 men, who may also be considered as more or less engaged in the suppression of the present outbreak.

“This imposing force would appear to be more than sufficient to quell an insurrection that cannot number more than 20,000 men in the field, and these not half armed, and without depôts or magazines to supply their wants.”



“Art. 4. All ukases, laws, &c., published by the usurping Government on the subject of peasant leases, are declared null and void.

“Art. 5. The present decree applies not only to private estates, but also to Crown lands, lands bestowed by the Crown, Church property, &c.”

We can only notice a few of the more prominent features of the dreadful struggle. Early in February the main body of the insurgents was stationed near the town of Wachock, in the district of Radom, under the command of Langiewicz, formerly an officer in the army of Garibaldi. A second division, commanded by Count Jyskiewicz, took up its position near Rawa, on the river Rawka, in the district of Warsaw; and a third under a leader named Frankowski, in the district of Lublin. Another body seized and fortified Lypa, on the Lithuanian frontier, and another entered the considerable manufacturing town of Lodz, in the province of Masovie, and robbed the Bank and Post-office of a large quantity of roubles. Railway trains were seized, and the carriages were filled by men hurrying to some place of rendezvous, towards which the engine-drivers were compelled to direct the train. The Russians found it difficult to follow the insurgents, for the roads, owing to the state of the weather, were little better than quagmires. An abominable attempt was made to poison the Marquis Wielopolski and his family, but happily failed.

In the early part of the revolt the most distinguished leader of the Poles was Langiewicz, whose position at the beginning of February is thus described by Colonel Stanton writing to Earl Russell:—“The country held by this band is more undulating and broken than the other districts of the kingdom, and is thickly wooded; the band has been largely reinforced from the mining population of the locality, and having the Government forges in their possession employ them in the preparation of scythes, knives, and other rough arms of this description, whilst the vicinity of the Galician frontier of Austria enables them to procure more easily gunpowder and firearms than is the case elsewhere, at the same time affording a secure retreat in case of serious defeat.”

Langiewicz was afterwards nominated by the Central Committee Dictator of Poland; and the Committee itself resigned for a time its functions. He engaged in a desperate encounter with the Russians on the 18th of March, the result of which is variously given; but immediately afterwards he disappeared in a mysterious manner from his comrades in arms, having first distributed amongst them a proclamation, in which he said that his duties as Dictator compelled him to leave them for a short interval, and that he deeply regretted that it was impossible for him to offer his last adieus in person. He said, “The Russian agents hiding themselves in your ranks made it necessary for me to depart secretly, and without bidding you farewell. The same reason, also, prevents my informing you of my ultimate destination;” and the proclamation

thus concluded: "Companions in arms! In the face of God and the presence of my army, I took the oath to fight it out to the last. This oath I have kept, and shall keep it in future. You, too, have sworn to serve the country and obey my commands. The oath of the soldier is equally inviolable with that of the General. In the name, then, of God and country continue the struggle and fight the Muscovite while fighting remains the only means of restoring the liberty and independence of the country."

The next news that was heard of Langiewicz was that he had crossed the Vistula with a few companions, and given himself up to the Austrian authorities, by whom he was ultimately conveyed to the citadel of Cracow, and his name no longer appears in the history of the struggle.

The Polish chiefs now issued a manifesto addressed to Europe, and calling for sympathy and help. It was dated from the camp at Bialowicza, March 24th, and concluded thus:—"Brethren in civilization, French, English, Italians, Hungarians, Swedes, Belgians, Tcheques, Slaves, Roumanians, Greeks, Portuguese, Spaniards, and Germans, accept our warm thanks for the sympathy which you have manifested up to the present for our success. Cease not to labour for the triumph of enlightened public opinion, and in return, when Poland shall be free and independent, we promise you that you will never see the forms of Muscovites, of Cossacks, of Tschoudes, of Mordonans, of Carbardiens, of Tschermeeses, of Kirginses, of Kalmucks, of Permiens, of Baskirs, of Pogonlitsches, of Ostiaks, of all those instruments of that moral and material pest which is now actually making war upon us with the tactics of Tamerlane and of Gengis Khan brought to perfection by the Court of St. Petersburg."

The only other leaders, besides Langiewicz, who attained much celebrity were Mieroslawski, Jezioranski, and Lelewel; but it is impossible to give any detailed account of their movements, which consisted in keeping up a guerilla war at different points whenever a favourable opportunity of attacking the Russians occurred. We should mention that during the whole struggle, the Prusso-Polish province of Posen, and the Austro-Polish province of Galicia remained perfectly quiet and undisturbed.

The lamentable state of things in Russian Poland excited the liveliest feelings of sympathy throughout England and France. On the 2nd of March Earl Russell wrote to Lord Napier and said:—

"Her Majesty's Government view with the deepest concern the state of things now existing in the Kingdom of Poland. They see there, on the one side, a large mass of the population in open insurrection against the Government; and on the other, a vast military force employed in putting that insurrection down. The natural and probable result of such a contest must be expected to be the success of the military forces. But that success, if it is to be achieved by a series of bloody conflicts, must be attended by a

lamentable effusion of blood, by a deplorable sacrifice of life, by wide-spread desolation, and by impoverishment and ruin, which it would take a long course of years to repair. . . .

“Yet, however much Her Majesty’s Government might lament the existence of such a miserable state of things in a foreign country, they would not, perhaps, deem it expedient to give formal expression to their sentiments, were it not that there are peculiarities in the present state of things in Poland which take them out of the usual and ordinary condition of such affairs.

“The Kingdom of Poland was constituted, and placed in connexion with the Russian Empire by the treaty of 1815, to which Great Britain was a contracting party. The present disastrous state of things is to be traced to the fact that Poland is not in the condition in which the stipulations of that treaty require that it should be placed.

“Neither is Poland in the condition in which it was placed by the Emperor Alexander I., by whom that treaty was made.

“During his reign a National Diet sat at Warsaw, and the Poles of the Kingdom of Poland enjoyed privileges fitted to secure their political welfare.

“Since 1832, however, a state of uneasiness and discontent has been succeeded from time to time by violent commotion and a useless effusion of blood. . . .

“Great Britain, therefore, as a party to the treaty of 1815, and as a Power deeply interested in the tranquillity of Europe, deems itself entitled to express its opinion upon the events now taking place, and is anxious to do so in the most friendly spirit towards Russia, and with a sincere desire to promote the interest of all the parties concerned. Why should not His Imperial Majesty, whose benevolence is generally and cheerfully acknowledged, put an end at once to this bloody conflict by proclaiming mercifully an immediate and unconditional amnesty to his revolted Polish subjects, and at the same time announce his intention to replace without delay his Kingdom of Poland in possession of the political and civil privileges which were granted to it by the Emperor Alexander I., in execution of the stipulations of the treaty of 1815?

“If this were done, a National Diet and a National Administration would, in all probability, content the Poles and satisfy European opinion.”

On the 10th of April he wrote:—

“If, indeed, the Emperor of Russia had held Poland as part of the original dominions of his Crown, or if he had acquired it by the unassisted success of his arms, and unsanctioned by the consent of any other Power, he could have contended that might was equivalent to right, and, without listening to the dictates of generosity and justice, he might have punished a temporary revolt of a portion of his Polish subjects by depriving the whole of them and their descendants for ever of those privileges and institutions which

his predecessor had deemed essential to the welfare and prosperity of the Polish Kingdom.

"But the position of the Russian Sovereign with regard to the Kingdom of Poland was entirely different. He held that kingdom by the solemn stipulation of a treaty made by him with Great Britain, Austria, France, Prussia, Portugal, Spain, and Sweden; and the revolt of the Poles could not release him from the engagements so contracted, nor obliterate the signatures by which his Plenipotentiaries had concluded, and he himself had ratified those engagements.

"The question, then, having arisen whether the engagements taken by Russia by the Treaty of Vienna have been and are now faithfully carried into execution, Her Majesty's Government, with deep regret, feel bound to say that this question must be answered in the negative. . . .

"Her Majesty's Government, therefore, most earnestly entreat the Government of Russia to give their most serious attention to all the foregoing considerations; and Her Majesty's Government would beg, moreover, to submit to the Imperial Government that, besides the obligations of treaties, Russia, as a member of the community of European States, has duties of comity towards other nations to fulfil. The condition of things which has now for a long course of time existed in Poland is a source of danger, not to Russia alone, but also to the general peace of Europe."

In April an Imperial manifesto was published by the Emperor of Russia, in which he stated :—

"In our solicitude for the future welfare of the country, we are ready to consign to oblivion all past acts of rebellion. Therefore, ardently desiring to put a stop to an effusion of blood, as useless as it is to be regretted, we grant a free pardon to all those of our subjects in the kingdom implicated in the late troubles who have not incurred the responsibility of other crimes or misdemeanours committed on service in the ranks of our army, and who may before the 1st [13th] May lay down their arms and return to their allegiance."

This offer of amnesty was treated with contempt by the Poles, who were determined to be satisfied with nothing less than the independence of their country, and the insurrection continued to rage with as much violence as before.

The Central Committee, now called the Provisional Government, published a proclamation, in which they said :—

"Poland is well aware what confidence she can place in this pretended amnesty and in the promises of the Russian Government. But, to avoid any mistake, we formally declare that we reject all these false concessions. It was not with the intention of obtaining more or less liberal institutions that we took up arms, but to get rid of the detested yoke of a foreign Government, and to reconquer our ancient and complete independence."



Prince Gortschakoff was, therefore, well justified in saying in one of his despatches,—

“If Lord Russell follows attentively the productions of the press devoted to the Polish rebellion, he must be aware that the insurgents demand neither an amnesty, nor an autonomy, nor a representation either more or less complete. The absolute independence of the kingdom even would be for them only a means for arriving at the final object of their aspirations. This object is dominion over provinces where the immense majority are Russian by race or by religion; in a word, it is Poland extended to the two seas, which would inevitably bring about a claim to the Polish provinces belonging to other neighbouring Powers.

“We desire to pronounce no judgment upon these aspirations. It suffices for us to prove that they exist, and that the Polish insurgents do not conceal them. The final result in which they would arrive cannot be doubtful. It would be a general conflagration which the elements of disorder scattered through all countries would be brought to complicate, and which seek for an opportunity to subvert Europe.”

On the 17th of June, Earl Russell wrote to Lord Napier:—

“In present circumstances, it appears to Her Majesty’s Government that nothing less than the following outline of measures should be adopted as the bases of pacification:—

“1. Complete and general amnesty.

“2. National representation, with powers similar to those which are fixed by the Charter of the 15th [27th] November, 1815.

“3. Poles to be named to public offices in such a manner as to form a distinct national Administration, having the confidence of the country.

“4. Full and entire liberty of conscience; repeal of the restrictions imposed on Catholic worship.

“5. The Polish language recognized in the kingdom as the official language, and used as such in the administration of the law and in education.

“6. The establishment of a regular and legal system of recruiting.

“These six points might serve as the indications of measures to be adopted, after calm and full deliberation. . . .

“What Her Majesty’s Government propose, therefore, consists in these three propositions:—

“1st. The adoption of the six points enumerated as bases of negotiation.

“2nd. A provisional suspension of arms, to be proclaimed by the Emperor of Russia.

“3rd. A conference of the eight Powers who signed the Treaty of Vienna.”

The Marquis Wielopolski strongly urged the Russian Govern-

ment to accept these six points, and addressed a letter to the Emperor, in which he said:—

“Should the contrary be the case, I should experience the grief of finding myself compelled to withdraw myself entirely from a line of policy which I cannot but consider hurtful and fraught with danger, and I should abandon all hope that my presence will be beneficial to the welfare of my country, or to the service of your Imperial Majesty.”

The Russian Government affected to see in the insurrection only the efforts of the revolutionary party in Europe, and Prince Gortschakoff writing, in April, to Baron de Budberg, the Russian Ambassador in Paris, and speaking of Poland, said:—

“The evil from which the kingdom is actually suffering is not an isolated fact. The whole of Europe is infected by it. Revolutionary tendencies, which are the curse of our age, are now concentrated in this country, because they find sufficient combustible materials there to give them the hope of making it the focus of a conflagration which would extend to the whole of the continent.

“The Governments whose duty it is to cure this evil cannot devote too much attention to it, too much prudence and allowances, so as to distinguish the elements which ought to be removed as a common danger, from those the development of which, followed with perseverance and maturity, may serve to form a lasting future.”

And in a later despatch, addressed to Baron Brunnow, the Russian Ambassador in London, the Prince said:—

“Since 1815 this country has witnessed the development of a material welfare unknown until then in her annals, while other States have in the same interval undergone many interior crises.

“This repose was only troubled in 1830 by the consequences of commotions coming from abroad; eighteen years later, in 1848, while almost the whole of Europe was convulsed by the Revolution, the Kingdom of Poland was able to preserve its tranquillity.

“We are persuaded that it would be the same at present were it not for the continual instigations of the party of Cosmopolitan Revolution. If this party, every where devoted to the overthrow of order, at present concentrates all its activity upon Poland, a grave error would be committed in supposing that its aspirations will stop short at that limit. What it seeks there is a lever to overturn the rest of Europe.

“Those Cabinets which attach importance to seeing the Kingdom of Poland return a moment earlier to the conditions of a durable peace, cannot therefore more certainly ensure the realization of this desire than by labouring, on their side, to appease the moral and material disorder which it is sought to propagate in Europe, and thus to exhaust the main source of the agitations at which their foresight is alarmed.”

And in another despatch, in July, he said,—

"The Principal Secretary of State of Her Britannic Majesty will dispense us from giving an answer to the proposed arrangement for a suspension of hostilities. It would not resist a serious examination of the conditions necessary for carrying it into effect. If it were to be defined between whom it was to be negotiated, of what nature the *status quo* was to be which it would guarantee, and who was to watch over its execution, it would readily be perceived that the provisions of public law could not be applied to a situation which would be a flagrant violation of such law. His Majesty the Emperor owes to his faithful army which struggles for the maintenance of order, to the peaceable majority of Poles who suffer from these deplorable agitations, and to Russia, on whom they impose painful sacrifices, to take energetic measures to terminate them. Desirable as it may be speedily to place a term to the effusion of blood, this object can only be attained by the insurgents throwing down their arms and surrendering themselves to the clemency of the Emperor. Every other arrangement would be incompatible with the dignity of our august Master, and with the sentiments of the Russian nation.

"It would, besides, have a result diametrically opposed to the one recommended by Lord Russell.

"As to the idea of a Conference of the eight Powers who signed the Treaty of Vienna, which should discuss the six points adopted as bases, it presents to us serious inconveniences, without our being able to see in it any advantage. . . .

"In any case, the re-establishment of order is an indispensable condition which must precede any serious application of the measures destined for the pacification of the kingdom.

"This condition depends greatly upon the resolution of the Great Powers not to lend themselves to calculations which the instigators of the Polish insurrection found on or expect from an active intervention in favour of their exaggerated aspirations.

"Clear and categorical language on the part of those Powers would contribute to dissipate these illusions, and to thwart these calculations which tend to prolong the disorder and excitement of public opinion."

Writing at a later period (Sept. 7) to Baron de Budberg, in Paris, the Prince said,—

"The French Government is desirous of seeing a state of affairs established in Poland which would give tranquillity to the country, quiet to Europe, and security to the relations between the Cabinets.

"We heartily share that desire, and will do every thing in our power to realize it.

"Our august Master remains animated with the most benevolent intentions towards Poland, and with the most conciliatory ones towards the foreign Powers.

"The welfare of all his subjects, of every race, and of every

religious confession, is an obligation which His Imperial Majesty has accepted towards God, his conscience, and his people. The Emperor devotes all his solicitude to fulfil it.

“As regards the responsibility which His Majesty may assume in his international relations, those relations are regulated by international law. The violation of those fundamental principles may alone lead to a responsibility. Our august Master has always respected and observed these principles towards other States. His Majesty has the right to expect and to demand the same respect on the part of the other Powers.”

There can be no doubt that the hope of material help from France and England upheld the Poles in their unequal contest, and if neither of those Powers was prepared to draw the sword in their behalf, it became absolutely necessary in the interests of humanity, and to stop the useless effusion of blood, to make their resolution distinctly known. Russia courteously, but firmly, rejected the Six Points submitted to her by Earl Russell, and as neither England nor France intended to go to war with her on account of Poland, they were obliged to put up, as best they might, with the signal rebuff their diplomacy received. In a despatch addressed by Earl Russell to Lord Napier, at St. Petersburg, on the 11th of August, he said:—

“Great Britain, Austria, and France have pointed out the urgent necessity of putting an end to a deplorable state of things which is full of danger to Europe. They have at the same time indicated the means which, in their opinion, ought to be employed to arrive at this termination, and they have offered their co-operation in order to attain it with more certainty.

“If Russia does not perform all that depends upon her to further the moderate and conciliatory views of the three Powers—if she does not enter upon the path which is opened to her by friendly counsels, she makes herself responsible for the serious consequences which the prolongation of the troubles of Poland may produce.”

And almost identically the same language was used by the French Government.

The feeling in Russia against the insurrection was very strong, and perhaps at no period was greater unanimity expressed by all classes as to their determination to support the Throne. An address to the Czar was voted by the nobility of St. Petersburg, in which they said:—

“Sire,—The nobility of St. Petersburg, animated with a spirit of devotedness to the throne and country, consider it a duty to express their sentiments to your Majesty. The pretensions raised abroad by the Polish agitators on the possessions of the Russian Empire fill us with grief and displeasure. Our detractors suppose that the reforms commenced by you for the utility and welfare of the Empire will facilitate their desire to dismember the Empire, but their attempts will prove vain. As a proof of devotedness and



abnegation, the Russian nobility, without hesitating at any fresh sacrifices, will defend unflinchingly the integrity of the Empire. Let our enemies learn that the powerful spirit of our ancestors, which founded the unity of our well-beloved country, is not extinct among us."

And in an address from the municipality of St. Petersburg they stated:—

"We, the citizens of St. Petersburg, feel convinced that any attempt against the integrity of the Empire is an attack upon the existence of Russia, where the sentiment of national honour and attachment to its Sovereign is more lively than ever.

"We do not reply to our enemies by hatred and a thirst for vengeance; but, if it should please Providence to put Russia to the proof, we shall not recoil from any sacrifice; we will raise the standard for the Czar and for our country, and will march wherever your sovereign will may think fit to lead us."

General Berg was appointed military commander of Warsaw, and on the 19th of September a desperate attempt was made to assassinate him. He was driving through the Cracow suburbs, and had just reached a large building, which formed part of the Zamoyski Palace, when shots were fired, and some bombs were thrown (whether from the building or not is uncertain, for the Russian and Polish accounts are at direct variance on this point), and they burst in front of his carriage without injuring any one. The proprietor of the Zamoyski Palace (which contained, besides rich furniture, some invaluable manuscripts relative to the early history of Poland) was at the time absent, and resident in Paris. But this did not save his property from destruction. Russian troops were ordered to surround the palace, and every thing which they could lay their hands upon was thrown out of the windows and committed to the flames. Both it and the adjoining building were then confiscated and turned into military barracks. Nothing however was discovered to implicate any one either in or connected with the palace; and the Poles assert that the bombs were thrown, not from the building, but from the opposite side of the street.

The Grand Duke Constantine applied to be relieved from the Government of Poland, on the plea of ill-health, and in October the Emperor addressed a letter to him acceding to his request, and said:—

"The Polish people have not wished to comprehend and appreciate the significance of the nomination of your Imperial Highness to the post of my lieutenant. In revolting in contempt of all its oaths, in surrendering itself to criminal plots, it has shown itself unworthy of the pledge which I had given to it of my benevolent intentions in the person of my beloved brother.

"Recognizing the justice of your appreciations respecting the impossibility, in the actual circumstances, of following the way by

which I sought to secure the pacification of the country when I sent you to it last year, I consent to relieve you, in accordance with your wish, of the functions of my lieutenant and of commander-in-chief in the Kingdom of Poland. But when, with the aid of God, the revolt shall be subdued, and, rendered accessible to the voice of duty and of legality, my subjects of the kingdom shall free themselves from the violence exercised by the declared abettors of treason, and shall have recourse to my clemency; when the re-establishment of order shall permit the resumption of the work which you commenced; when circumstances shall render possible the application of institutions, the practical working of which is one of my strongest and sincerest desires; it pleases me to think that then you will be able again to take part in the execution of my views and consecrate yourself to the welfare of the country with the zeal and abnegation of which the incessant and incontestable evidences are as precious to my heart as my confidence, my friendship, and my fraternal affection towards you are unlimited."

We close our narrative of this year's struggle, in which Poland, left to its fate by the Great Powers, kept up to the close of it an unequal but desperate resistance, with an extract from an order issued by the Russian Commander in the district of Konin. It will show the kind of measures by which Russia hoped to be able to stamp out the flame of insurrection.

"At the approach of winter the forests can no longer serve as a refuge for the rebels, and the latter conceal themselves in towns and villages, where they are sheltered by the inhabitants. Consequently every inhabitant who shall not inform the military authorities of the presence of a rebel in his dwelling shall be tried by court-martial, and punished as if he were a rebel. A fine shall, moreover, be levied on the inhabitants of such towns or villages. Tailors, shoemakers, and such tradesmen are forbidden to keep ready-made clothes in their houses. Should such articles be found in their possession, they shall be severely punished. Mayors of towns or villages are expressly forbidden to supply rebels with carts or horses. Any body violating this order shall be tried by court-martial, and a fine shall be levied on the inhabitants."

## CHAPTER V.

## GREECE—MEXICO—JAPAN—NEW ZEALAND.

GREECE.—Memorandum of the British Government relative to the Cession of the Ionian Islands—Joy of the Inhabitants of Corfu—Protocol of London—The Ionian Parliament dissolved and a new one summoned—Prince George of Denmark elected King of Greece—His reception of the Deputation at Copenhagen—Cession of the Ionian Islands to Greece—Treaty on the subject.

MEXICO.—Letter from the French Emperor to General Forey on the subject of Mexico—Puebla captured by the French—Letter from the Emperor—Entry of General Forey into the city of Mexico—His Proclamation—The Assembly of Notables declare Mexico an Empire, and proclaim Archduke Maximilian of Austria Emperor—His reply to the Mexican Deputation.

JAPAN.—Demand for satisfaction for the Murder of Mr. Richardson—The British fleet enters Kagosima harbour—Refusal of our Demands—The Japanese open fire—Town of Kagosima bombarded—Submission of the Japanese.

NEW ZEALAND.—Outbreak of War with the Natives.

## GREECE.

WE mentioned in our last volume the readiness of the British Government to consent to a cession of the Ionian Islands to Greece.

Accordingly, at the end of December, 1862, the following "Memorandum" was delivered to the President of the Provisional Government of Greece by the Hon. Henry Elliot:—

"It is Her Majesty's earnest desire to contribute to the welfare and prosperity of Greece.

"The treaties of 1827 and 1832 bear evidence of this desire on the part of the British Crown.

"The Provisional Government of Greece declared, upon the withdrawal of King Otho from Greece, that their mission is to maintain for Greece constitutional monarchy, and the relations of peace with all other States.

"If the new Assembly of the representatives of the Greek nation should prove faithful to this declaration, should maintain constitutional monarchy, and should refrain from all aggression against neighbouring States, and if they should choose a Sovereign against whom no well-founded objection could be raised, Her Majesty would see in this course of conduct a promise of future freedom and happiness for Greece. In such a case, Her Majesty, with a

view to strengthen the Greek Monarchy, would be ready to announce to the Senate and representatives of the Ionian Islands Her Majesty's wish to see them united to the Monarchy of Greece, and to form with Greece one united State; and if this wish should be expressed also by the Ionian Legislature, Her Majesty would then take steps for obtaining the concurrence of the Powers who were parties to the Treaty by which the seven Ionian Islands and their dependencies were placed as a separate State under the protectorate of the British Crown.

"I am to take care, in my communications upon this subject, to make it understood that the election of a Prince who should be the symbol and precursor of revolutionary disturbance, or of the adoption of an aggressive policy towards Turkey, would prevent any relinquishment of Her Majesty's protectorate over the Ionian Islands.

"Her Majesty's Government trust that, in the selection of a Sovereign to rule over Greece, the Greek Assembly will choose for their King a Prince from whom they can expect a regard for religious liberty, a respect for constitutional freedom, and a sincere love of peace. A Prince possessing these qualities will be fitted to promote the happiness of Greece, and will be honoured with the friendship and confidence of Her Majesty the Queen."

When the news of the intended cession reached Corfu, it was received with enthusiastic joy. A deputation of citizens proceeded to the house of the Lord High Commissioner with an address, which stated:—

"Corfu is touched to the heart by learning that the Government of Her Britannic Majesty has informed the other European Powers who signed the Treaty of Paris of the 5th of November, 1815, of its intention to abandon the protectorate of the Ionian Islands given by that treaty to the Sovereigns of Great Britain. The reunion of the seven islands to the Kingdom of Greece—this fulfilment of the ardent and unanimous desire of the population—is an act of Divine Providence, and diplomacy cannot but bow to it. But if it is to the Supreme Being that the people of the heptarchy should first address their grateful thanksgiving, they cannot abstain from expressing their gratitude to the English nation, who, from a love of liberty, have interested themselves in our holy cause, and pleaded it before Her Majesty's Government. In these circumstances the people of Corfu feel the imperative need of manifesting the satisfaction they feel at the triumph of right and the realization of their unanimous desire to be united to Greece. They equally feel the necessity of expressing their gratitude to the people of Great Britain, who, in defending our rights, have by implication defended those of Greeks in general."

We mentioned also that Prince Alfred of England had been almost unanimously chosen to fill the vacant throne, but was prevented from accepting the proffered dignity; and, as it is curious to see what was the exact result of the voting on the all-



important question of choosing a King, we subjoin the information in a note<sup>1</sup>.

It now became necessary to look out for another candidate; and ultimately the choice fell upon Prince George of Denmark, the brother of the Princess of Wales, who was unanimously proclaimed King of Greece in a sitting of the Senate at Athens, on the 30th of March. A decree was passed, which contained the following provisions:—

“Art. 1. Prince Christian-William-Ferdinand-Adolphus-George, second son of Prince Christian of Denmark, is proclaimed Constitutional King of the Greeks, under the name of George I., King of the Greeks.

“Art. 2. His legitimate successors shall profess the orthodox religion of the East.

“Art. 3. A commission of three members, selected by the National Assembly, shall proceed to Copenhagen to offer the Crown to the Prince in the name of the Greek nation.”

Another decree related to the Ionian Islands:—

“1. The Greek nation expresses its ardent wish to see the Greek State of the Seven Islands united as soon as possible under the constitutional sceptre of George I., King of the Greeks, to Greece, which is now free.

“2. Thanks are offered to Her Majesty the Queen of Great Britain by the Greek nation, for the benevolent intention she has already manifested as regards the accomplishment of the ardent wish of the Greek nation.”

<sup>1</sup> According to the Report of the Commission appointed by lot to count up the votes, they were as follows:—

|  |         |
|--|---------|
| Prince Alfred . . . . .                | 230,016 |
| Prince Leuchtenberg . . . . .          | 2,400   |
| An Orthodox King . . . . .             | 1,917   |
| Emperor of Russia . . . . .            | 1,841   |
| Grand Duke Nicholas . . . . .          | 1,821   |
| A King . . . . .                       | 1,763   |
| Prince Nicholas of Russia . . . . .    | 1,741   |
| Zeto the Three Powers . . . . .        | 482     |
| Grand Duke Constantine . . . . .       | 478     |
| Prince Napoleon . . . . .              | 345     |
| An Imperial Prince of France . . . . . | 246     |
| A Russian Prince . . . . .             | 14      |
| A Republic . . . . .                   | 93      |
| An Imperial Prince of Russia . . . . . | 9       |
| Romanoff . . . . .                     | 8       |
| Comte de Flandre . . . . .             | 7       |
| Prince William of Denmark . . . . .    | 6       |
| Prince Ypsilanti . . . . .             | 6       |
| General Garibaldi . . . . .            | 3       |
| The Duke of Aumale . . . . .           | 3       |
| The Emperor Napoleon . . . . .         | 2       |
| A Prince of Sweden . . . . .           | 2       |
| Prince Joinville . . . . .             | 1       |
| General M'Mahon . . . . .              | 1       |
| Eynard the Philhellene . . . . .       | 1       |
| Otho I. . . . .                        | 1       |

In June, a deputation of Greeks proceeded to Copenhagen to notify to Prince George his election to the throne. The King of Denmark told them that he accepted the Crown for his relative, and, turning to the Prince, who was by his side, said :—

“Before you leave this spot I give you this heartfelt and well-meant advice. Let it be your constant endeavour to gain and preserve the love of the people. Without boasting, I speak from experience when I say that in this consists the true happiness of a king. Adhere firmly to the Constitution of the country; strive constantly to procure its recognition; watch that it be maintained intact. If you make this your rule, you and your people will prosper.”

The young King said in his reply to the address of the deputation :—

“I receive the first greetings of the representatives of the Greek people with true joy. It is with profound emotion that I have heard them from the mouth of the man whose name is linked with everlasting fame to the regeneration of Greece. I am deeply impressed with the responsibility of the position which has fallen to my lot, and will dedicate to it the utmost powers of my life. I rely upon the loyal assistance of the Greek people for the attainment of our common object—the happiness of Greece. I have grown up in a country where legal order is combined with entire constitutional freedom, and which has thereby attained large and felicitous development. The lesson I have here received shall accompany me to my new country, and I shall always keep in view the motto of the King of Denmark, ‘The love of the people is my strength.’”

The King afterwards proceeded to Greece, to take possession of his new throne, and was enthusiastically received by the people. We trust that his reign may be prosperous; but the Greeks require a firm hand to rule over them; and the finances of the country are sufficiently embarrassed to demand the utmost skill and energy on the part of the Government.

On the question of the cession of the Ionian Islands a Conference was held in London, on the 26th of June, at which were present the Plenipotentiaries of Great Britain, France, and Russia, and a Protocol was drawn up, which declared :—

“1. With regard to the guarantee of the political existence and of the frontiers of the Kingdom of Greece, the three Protecting Powers maintain simply the terms in which it is expressed by Article IV. of the Convention of May 7th, 1832.

“It is agreed that the Ionian Islands shall be included in that guarantee, when their union to the Hellenic Kingdom shall have obtained the assent of the parties concerned.

“2. With regard to the financial obligations which Greece has contracted towards the three Protecting Powers, on account of the loan, in virtue of Article XII. of the Convention of May 7th, 1832, it is understood that the Courts of France, Great Britain,

and Russia will in concert watch over the strict execution of the engagement proposed at Athens by the Representatives of the three Powers, and accepted by the Greek Government, with the concurrence of the Chambers, in the month of June, 1860."

The dissolution of the Ionian Parliament was announced by the Lord High Commissioner, Sir Henry Storks, on the 6th of August, acting under the authority of a Proclamation of the Queen, to whom in Council the power of dissolving the Parliament on any special emergency was reserved by the Constitutional Charter of the Ionian Islands. The object was stated to be "with a view to consult in the most formal and authentic manner the wishes of the inhabitants of the Ionian Islands as to their future destiny."

At the same time a new Parliament was summoned, which was to declare in the most formal and authentic manner the wishes of the inhabitants on the question of union with Greece. The result was an unanimous resolution in favour of that union. In consequence of this a treaty was concluded between Her Majesty, the Emperor of Austria, the Emperor of the French, the King of Prussia, and the Emperor of Russia, which was signed at London on the 14th of November, and by it Her Majesty renounced the protectorate over "the islands of Corfu, Cephalonia, Zante, Santa Maura, Ithaca, Cerigo, and Pano, with their dependencies." It was also provided that the Ionian Islands, after their union to the Kingdom of Greece, "shall enjoy the advantages of a perpetual neutrality; consequently no armed force, either naval or military, shall at any time be assembled or stationed upon the territory or in the waters of those islands, beyond the number that may be strictly necessary for the maintenance of public order, and to secure the collection of the public revenue. The high contracting parties engage to respect the principle of neutrality stipulated by the present article.

As a necessary consequence of the neutrality to be thus enjoyed by the United States of the Ionian Islands, the fortifications constructed in the Island of Corfu and its immediate dependencies, having no longer any object, shall be demolished, and the demolition thereof shall be effected previously to the withdrawal of the troops employed by Great Britain for the occupation of those islands in her character as protecting power."

## MEXICO.

A letter addressed by the French Emperor to General Forey, Commander-in-Chief of the French army in Mexico, appeared this year, in which His Majesty laid down the line of conduct which he wished to be adopted by the expedition. It was dated Fontainebleau, July 3, 1862, and in it the Emperor said:—

“The object to be attained is not to impose on the Mexicans a form of Government which would be obnoxious, but to assist them in their efforts to establish, according to their own wishes, a Government which may have a chance of stability, and can secure to France the settlement of the injuries of which she has to complain.

“It follows, as a matter of course, that, if the Mexicans prefer a monarchy, it is for the interest of France to support them in that path.

“There will not be wanting people who will ask you why we expend men and money to found a regular Government in Mexico.

“In the present state of the civilization of the world, the prosperity of America is not a matter of indifference to Europe, for it is that country which feeds our manufactories and gives an impulse to our commerce. We have an interest in the Republic of the United States being powerful and prosperous, but not that she should take possession of the whole of the Gulf of Mexico, thence command the Antilles as well as South America, and be the only dispenser of the products of the New World. . . . .

“At present, therefore, our military honour engaged, the necessities of our policy, the interests of our industry and commerce, all conspire to make it our duty to march on Mexico, to boldly plant our flag there, and to establish either a monarchy, if not incompatible with the national feeling, or at least a Government which may promise some stability.”

Puebla, which the Mexican army occupied in force, was regularly besieged by General Forey, and on the 29th of March Fort San Xavier, one of its principal defences, was attacked and taken by assault. “For the first time,” says General Forey, “the Mexicans felt the points of our bayonets; they gave way before the impetuosity of our attack.” Puebla itself was captured on the 18th of May. The garrison suffered severely from hunger, and General Ortega, who commanded the place, proposed to capitulate, but asked to be allowed to leave with all the honours of war; and with arms, baggage, and artillery to withdraw to Mexico. General Forey refused to listen to this, and told him that he might leave with all the honours of war, but that his army must march past the



French army, and lay down their arms, remaining prisoners of war. "These proposals," says General Forey, "were not accepted by General Ortega, who, in the night between the 16th and 17th, disbanded his army, destroyed the weapons, spiked his guns, blew up the powder magazines, and sent me an envoy to say that the garrison had completed its defence and surrendered at discretion.

"It was scarcely daylight when 12,000 men, most of them without arms or uniforms, which they had cast away in the streets, surrendered as prisoners, and the officers, numbering from 1000 to 1200, of whom 26 were generals and 200 superior officers, informed me that they awaited my orders at the Palace of the Government."

When the news of this success reached France, the Emperor addressed a letter to General Forey, in which he said:—

"Tell the men how much I appreciate their perseverance and courage in so distant an expedition, where they had to struggle against climate, local difficulties, and against an enemy the more obstinate because he was deceived in my intentions. I deeply deplore the probable loss of so many brave men, but I have the consoling idea that their death has not been useless either to the interests or to the honour of France, or to civilization. Our object, as you are aware, is not to impose upon the Mexicans a Government contrary to their wish, or to make our success a triumph for any party whatsoever. I wish Mexico to be regenerated to a new life, and that soon, reformed by a Government based upon the national will, on principles of order and progress, it may admit that it owes to France its peace and its prosperity."

After the fall of Puebla resistance may be said to have ceased, and on the 10th of June the French army, under General Forey, made its triumphal entry into the city of Mexico. The throne of Montezuma was now at the disposal of the conqueror; and the question was who would be invited to occupy it. General Forey issued a proclamation, telling the Mexicans that the solution of the political question depended upon them; and after laying down the principles upon which the temporary Government would be administered, he said:—

"I invoke the support of all classes. I demand of all parties to lay down their arms, and to employ henceforth all their strength, not in destroying, but in constructing. I proclaim oblivion of the past, and a complete amnesty for all those who will rally in good faith round the Government which the nation, by its own free will, shall impose upon itself.

"But I declare enemies of their country all those who are deaf to my entreaties, and I will pursue them wherever they may take refuge."

Juarez and the members of his Government had previously evacuated the city, and retired to San Luis Potosi; nor was any attempt made to disturb the French occupation. An "Assembly of Notables" was constituted, 215 in number, who were taken

indiscriminately from all classes, and they were to determine what form of Government ought to be definitively established in Mexico; the vote on this question to unite at least two-thirds of the suffrages.

On the 10th of July they resolved that Mexico should be an Empire, and that the throne should be offered to the Archduke Maximilian of Austria. In the event of his refusal to accept the Crown, the Emperor of the French was requested to select a candidate for the Imperial dignity. The Archduke was accordingly solemnly proclaimed Emperor of Mexico, and a deputation of Notables proceeded to Europe to offer him the throne. He received them at his residence near Trieste, and in answer to their address, said:—

“The wishes of the Mexican Assembly of Notables have touched me deeply. It cannot but be exceedingly flattering for our House that they have turned their eyes to the descendants of Charles V. Although the mission of maintaining the independence and welfare of Mexico on a solid foundation, and with free institutions, is a most noble one, I must, nevertheless, in complete accordance with the views of the Emperor Napoleon, declare that the Monarchy cannot be re-established on a legitimate and firm basis without a spontaneous expression of the wishes of the whole nation. I must make my acceptance of the throne dependent upon a *plébiscite* of the whole country. On the other hand, it would be my duty to ask for guarantees, which are indispensable to secure Mexico against the dangers which threaten her integrity and independence. Should these guarantees be obtained, and the universal vote of the nation be given in my favour, I am ready to accept the Crown, subject to the approval of the Emperor, my brother. In case Providence should call me to this high mission, I must at once declare that it is my firm intention to open the path of progress by a Constitution, as was done by my brother, and after the complete pacification of the country, to seal the fundamental law with an oath. By such means only can a new and really national policy be called into existence by which all parties, forgetting old disputes, would co-operate with me in raising Mexico to a prominent rank among nations. Carry back with you these frank declarations to your fellow-citizens, and act in such a manner that it may become possible for the nation to declare what form of Government it desires to have.”

Difficulties, however, arose in the way, and the year closed without any definitive acceptance of the Crown of Mexico by the Austrian Archduke.

## JAPAN.

Colonel Neale, the British *Chargé d'Affaires* in Japan, was this year directed to obtain reparation for the murder of Mr. Richardson, and a murderous assault committed on an English lady and two gentlemen who were riding with Mr. Richardson on a public road near the English settlement in Japan, in the month of September of last year. He was instructed to demand from the Government of the Tycoon the payment of 100,000*l.*, and an ample apology; and from the Prince of Satsuma, within whose jurisdiction the murder and assault took place, the payment of 25,000*l.* as an indemnity. The sum of 100,000*l.* was paid, and a sufficient apology was made by the Minister of the Tycoon. But no satisfaction could be obtained from the Prince of Satsuma, and as ten months had elapsed since the murder was committed, Colonel Neale called upon Admiral Kuper to proceed with the English fleet to Kagosima, the capital of Prince Satsuma, and it entered the bay on the 11th of August. The city of Kagosima was strongly defended by forts and batteries, from which Prince Satsuma's flag was flying. On the ships anchoring off the town, on the 12th, a boat came from the shore with two officers, who had an interview with the English Minister, and they were told what our demands were, which were to be acceded to by two p.m. on the following day, the 13th. Further delay, however, took place, and as no satisfactory answer was received on the 14th, the Admiral proceeded to seize three screw-steamers, which had been recently sent from Europe, and belonged to Prince Satsuma. This was on the 15th, when suddenly all the batteries opened a fire of shot and shell on the squadron. The Admiral ordered the steamers to be burnt, and began to bombard the batteries and the town. The houses soon caught fire, and a terrible conflagration ensued, extending upwards of a mile. The Japanese fired with rapidity and precision, and we had to deplore the loss of two excellent officers, Captain Josling and Commander Wilmot, who were both killed on board the Admiral's ship "Euryalus" by the same shell. The Japanese batteries were soon silenced; a great part of the town was laid in ashes, and an enormous amount of property destroyed. Next day the fleet again weighed anchor, and proceeding under slow speed, commenced shelling the batteries as the ships passed them at long ranges. This brought the Japanese at last to their senses, and news reached this country at the end of the year that Prince Satsuma had consented to do his utmost to apprehend the murderers of Mr. Richardson, and inflict capital punishment upon them, in the presence of one or more British officers; and also to pay the indemnity demanded. We may hope, therefore,

that for the present, at all events, there will be no necessity for resuming hostile operations against this strange people, with whom we have only lately come into contact. The destruction of so great a part of the town of Kagosima, involving as it did thousands of unoffending inhabitants in misery, caused a very painful sensation in this country; but it seems to have been the accidental result of the fire of the fleet against the Japanese batteries, which was a simple act of self-defence against their attack. It is one of the deplorable results of war that its calamities often fall more upon the innocent than the guilty.

### NEW ZEALAND.

Great Britain this year was engaged in one of her "little wars" with the Maori natives of New Zealand, arising out of that everlasting cause of quarrel, the question of the right of property in waste lands. But as the contest was not brought to a close this year, and our information at present is imperfect both as to the exact cause of the outbreak, and the war that followed, in which some of our troops were severely handled, we shall defer our narrative of events until our next volume.



## CHAPTER VI.

## CIVIL WAR IN AMERICA.

Emancipation Proclamation of President Lincoln—General Burnside retires to the north of the Rappahannock—Battle of Murfreesborough—Generals Banks and Butler at New Orleans—Message of President Davis to the Confederate Congress—Attempt of the French Government to put a stop to the War—Letter from President Lincoln to General McClellan—Financial Position of the Federal States—Bill for arming Negroes passed by Congress—Expiry of Federal Congress—General Hooker takes the command of the Army of the Potomac—Expeditions against Forts Hudson, Vicksburg, and Charleston—The Confederates claim that the Blockade is raised—Siege of Vicksburg—Day of Fasting appointed by the Confederate President—His Address to the Confederate States—Military Movements in Tennessee—Battle of Chancellorsville.

WE mentioned in our last volume the proclamation issued by President Lincoln on the 22nd of September, 1862, whereby he expressed his intention of declaring free, on the 1st of January in the present year, "all persons held as slaves within any State, or designated part of a State, the people whereof should be in rebellion against the United States," and at the beginning of this year he at once put the threat in execution. By a proclamation, dated Jan. 1, he designated the States of Arkansas, Texas, Louisiana, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia, as States wherein, except in certain specified portions of some of them, "the people thereof respectively are this day in rebellion against the United States," and declared as follows:—

"All persons held as slaves within said designated States and parts of States are, and henceforward shall be, FREE, and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

"And I hereby enjoin upon the people so declared to be free, to abstain from all violence, unless in necessary self-defence, and I recommend to them that in all cases, when allowed, they labour faithfully for reasonable wages.

"And I further declare and make known that such persons of suitable condition will be received into the armed service of the United States, to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

"And upon this—sincerely believed to be an act of justice,

warranted by the Constitution—upon military necessity—I invoke the considerate judgment of mankind and the gracious favour of Almighty God.”

General Burnside withdrew the army of the Potomac to the north of the Rappahannock river on the 16th of December last year, because, as he said in a despatch to General Halleck, the Commander-in-Chief, “he felt fully convinced that the position in front could not be carried, and it was a military necessity either to attack the enemy or retire. A repulse would have been disastrous to us under existing circumstances.”

In Tennessee the hostile armies of the two Republics met at the end of the year at Murfreesborough, and a bloody battle was fought, which lasted for two days. General Bragg commanded the Confederates, and General Rosencrans the Federals. The result was that the Confederates retired, and Rosencrans occupied Murfreesborough, which he converted into a fortified camp.

General Banks was sent to New Orleans to supersede General Butler in the command; and in the proclamation he issued on his arrival, he said:—

“The country washed by the waters of the Ohio, the Missouri, and the Mississippi can never be permanently severed. If one generation basely barter away its rights, immortal honours will rest upon another that reclaims them.

“Let it never be said, either, that the East and the West may be separated. Thirty days’ distance from the markets of Europe may satisfy the wants of Louisiana and Arkansas, but it will not answer the demands of Illinois and Ohio. The valley of the Mississippi will have its deltas upon the Atlantic. The physical force of the West will debouch upon its shores with a power as resistless as the torrents of its giant rivers. This country cannot be permanently divided. Ceaseless wars may drain its blood and treasure; domestic tyrants or foreign foes may grasp the sceptre of its power, but its destiny will remain unchanged. It will still be united. God has ordained it. What avails, then, the destruction of the best Government ever devised by man—the self-adjusting, self-correcting Constitution of the United States?”

General Butler, whose name was execrated in the South for the tyrannical and cruel manner in which he had exercised his authority, published a farewell address to the troops forming what was called “the Army of the Gulf,” in which he gave a description of the occupation of New Orleans, which must have seemed to the Confederates something like bitter mockery. He claimed the character of a benefactor, while they regarded him as little less than a fiend. He said:—

“At your occupation, order, law, quiet, and peace sprang to this city, filled with the bravos of all nations, where, for a score of years, during the profoundest peace, human life was scarcely safe at noonday.

“By your discipline you illustrated the best traits of the

American soldier, and enchained the admiration of those that came to scoff.

"Landing with a military chest containing but \$75, from the hoards of a rebel Government you have given to your country's treasury nearly a half-million of dollars, and so supplied yourselves with the needs of your service that your expedition has cost your Government less by four-fifths than any other.

"You have fed the starving poor, the wives and children of your enemies, so converting enemies into friends that they have sent their representatives to your Congress by a vote greater than your entire numbers from districts in which, when you entered, you were tauntingly told that there was 'no one to raise your flag.'

"By your practical philanthropy you have won the confidence of the 'oppressed race' and the slave. Hailing you as deliverers, they are ready to aid you as willing servants, faithful labourers, or, using the tactics taught them by your enemies, to fight with you in the field."

In glaring contrast with this was a proclamation of President Davis, in which, after enumerating the outrages of which Butler had been guilty, he declared him "to be a felon deserving of capital punishment . . . . an outlaw and common enemy of mankind," and ordered that if captured he should be immediately hanged.

The Confederate President sent his second annual message to Congress, at Richmond, on the 12th of January. It was a very lengthy document, in which he reviewed the progress of the struggle, and insisted on the nullity of the blockade according to international law, on account of its inefficiency. He said:—

"Neutral Europe remained passive when the United States—with a naval force insufficient to blockade effectively the coast of a single State—proclaimed a paper blockade of thousands of miles of coast, extending from the Cape of the Chesapeake to those of Florida and to Key West, and encircling this Gulf of Mexico to the mouth of the Rio Grande. Compared with this monstrous pretension of the United States, the blockades known in history under the names of the Berlin and Milan decrees and the British Orders in Council, in the years 1806 and 1807, sink into insignificance. Yet those blockades were justified by the Powers that declared them on the sole ground that they were retaliatory; yet those blockades have since been condemned by the publicists of those very Powers as violations of international law; yet those blockades evoked angry remonstrances from neutral Powers, amongst which the United States were the most conspicuous; yet those blockades became the chief cause of the war between Great Britain and the United States in 1812; yet those blockades were one of the principal motives that led to the declaration of the Congress of Paris in 1856, in the fond hope of imposing an enduring check on the very abuse of maritime power which is now

renewed by the United States in 1861 and 1862, under circumstances and with features of aggravated wrong without precedent in history."

He complained also that the neutrality of Europe had in other respects been rather nominal than real. With respect to the Emancipation measure of President Lincoln, he said:—

"We may well leave it to the instincts of that common humanity which a beneficent Creator has implanted in the breasts of our fellow-men of all countries to pass judgment on a measure by which several millions of human beings of an inferior race—peaceful and contented labourers in their sphere—are doomed to extermination, while at the same time they are encouraged to a general assassination of their masters by the insidious recommendation 'to abstain from violence unless in necessary self-defence.' Our own detestation of those who have attempted the most execrable measure recorded in the history of guilty man is tempered by profound contempt for the impotent rage which it discloses. So far as regards the action of this Government on such criminals as may attempt its execution, I confine myself to informing you that I shall—unless in your wisdom you deem some other course more expedient—deliver to the several States' authorities all commissioned officers of the United States that may hereafter be captured by our forces in any of the States embraced in the proclamation, that they may be dealt with in accordance with the laws of those States providing for the punishment of criminals engaged in exciting servile insurrection. The enlisted soldiers I shall continue to treat as unwilling instruments in the commission of these crimes, and shall direct their discharge and return to their homes on the proper and usual parole.

"In its political aspect this measure possesses great significance, and to it in this light I invite your attention. It affords to our whole people the complete and crowning proof of the true nature of the designs of the party which elevated to power the present occupant of the presidential chair at Washington, and which sought to conceal its purposes by every variety of artful device, and by the perfidious use of the most solemn and repeated pledges on every possible occasion. I extract, in this connexion, as a single example, the following declaration, made by President Lincoln under the solemnity of his oath as chief magistrate of the United States, on the 4th of March, 1861:—'Apprehension seems to exist among the people of the Southern States that by the accession of a Republican Administration their property and their peace and personal security are to be endangered. There has never been any reasonable cause for such apprehensions. Indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the public speeches of him who now addresses you. I do but quote from one of those speeches when I declare that I have no purpose, directly or indirectly, to interfere with the institution of slavery



in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so. Those who nominated and elected me did so with full knowledge that I had made this and many similar declarations, and had never recanted them.' ”

The message concluded thus:—

“The fate of the Confederacy, under the blessing of Divine Providence, depends upon the harmony, energy, and unity of the States. It especially devolves on you, their representatives, as far as practicable, to reform abuses, to correct errors, to cultivate fraternity, and to sustain in the people a just confidence in the Government of their choice. To that confidence and to the unity and self-sacrificing patriotism hitherto displayed is due the success which has marked the unequal contest, and has brought our country into a condition at the present time such as the most sanguine would not have ventured to predict at the commencement of our struggle. Our armies are larger, better disciplined, and more thoroughly armed and equipped than at any previous period of the war; the energies of a whole nation, devoted to the single object of success in this war, have accomplished marvels, and many of those trials have by a beneficent Providence been converted into blessings. The magnitude of perils which we encountered have developed the true qualities and illustrated the heroic character of our people, thus gaining for the Confederacy from its birth a just appreciation from the other nations of the earth. The injuries resulting from the interruption of foreign commerce have received compensation by the developments of our internal resources. Cannon crown our fortresses that were cast from the proceeds of mines opened and furnaces built during the war. Our mountain caves yield much of the nitre for the manufacture of powder, and promise increase of product. From our own foundries and laboratories, from our own armouries and workshops, we derive, in a great measure, the warlike material, the ordnance and ordnance stores, which are expended so profusely in the numerous and desperate engagements that rapidly succeed each other. Cotton and woollen fabrics, shoes and harness, waggons and gun carriages, are produced in daily increasing quantities by the factories springing into existence. Our fields, no longer whitened by cotton that cannot be exported, are devoted to the production of cereals and the growth of stock formerly purchased with the proceeds of cotton. In the homes of our noble and devoted women—without whose sublime sacrifices our success would have been impossible—the noise of the loom and the spinning-wheel may be heard throughout the land.

“With hearts swollen with gratitude, let us, then, join in returning thanks to God, and in beseeching the continuance of His protecting care over our cause, and the restoration of peace, with the manifold blessings to our beloved country.”

An unsuccessful attempt was made by the French Government,

in January, to bring about a negotiation between the belligerents. M. Drouyn de Lhuys addressed a letter to M. Mercier, the French Minister at Washington, in which he said:—

“Assuredly, sir, recourse to the good offices of one or several Powers contains nothing incompatible with the pride so legitimate to a great nation, and means purely international are not those alone which furnish examples of the useful character of mediation. We flatter ourselves, besides, that in proffering to place ourselves at the disposal of the belligerent parties to facilitate between them negotiations, the basis of which we abstain from prejudging, we have manifested to the patriotism of the United States all the consideration to which it is entitled, now perhaps still more than ever, after such new proof of moral force and energy. We are none the less ready, amid the wishes which we form in favour of peace, to take into account all the susceptibilities of national feeling, and we do not at all question the right of the Federal Government to decline the co-operation (*concours*) of the great maritime Powers of Europe. But this co-operation, is it not the only means which offers itself to the Cabinet of Washington to hasten the close of the war? and if it believes that it ought to repel any foreign intervention, could it not honourably accept the idea of direct (*pourparlers*) informal conferences with the authority which may represent the States of the South? . . . Nothing, therefore, would hinder the Government of the United States, without renouncing the advantage which it believes it can attain by the continuation of the war, from entering upon informal conferences with the Confederates of the South, in case they should show themselves disposed thereto. Representatives or commissioners of the two parties could assemble at such point as it should be deemed proper to designate, and which could for this purpose be declared neutral. Reciprocal complaints would be examined into at this meeting. In place of the accusations which North and South mutually cast upon each other at this time would be submitted an argumentative discussion of the interests which divide them. . . . Persuaded on our part that it is in conformity with their true interests, we do not hesitate to recommend it to their attention, and not having sought in the project of a mediation of the maritime Powers of Europe any vain display of influence, we would applaud, with entire freedom from all susceptibilities of self-esteem, the opening of a negotiation which would invite the two populations to discuss, without the co-operation of Europe, the solution of their differences.”

Mr. Seward, however, declined the proposal, and said:—

“If it were possible for the Government of the United States to compromise the national authority so far as to enter into such debates, it is not easy to perceive what good results could be obtained by them. The commissioners must agree in recommending either that the Union shall stand or that it shall be voluntarily dissolved, or else they must leave the vital question unsettled to

abide at least the fortunes of the war. The Government has not shut out knowledge of the present temper of, any more than of the past purposes of, the insurgents. There is not the least ground to suppose that the controlling actors would be persuaded at this moment, by any arguments which a National Commissioner could offer, to forego the ambition that has impelled them to the disloyal position they are occupying. . . . It is true, indeed, that peace must come some time, and that conferences must attend, if they are not allowed to precede, the pacification. There is, however, a better form for such conferences than the one which M. Drouyn de Lhuys suggests. The latter would be palpably in derogation of the Constitution of the United States, and would carry no weight, because destitute of the sanction necessary to bind either the loyal or disloyal portions of the people. On the other hand, the Congress of the United States furnishes a constitutional forum for debates between the alienated parties: Senators and representatives of the discontented party: who may be continually sent there from the States involved in the insurrection. Moreover, the conferences which can thus be held in Congress have this great advantage over any other that could be organized on the plan of M. Drouyn de Lhuys—viz.: that Congress, if it thought wise, could call a National Convention to adopt its recommendations, and give them all the solemnity and binding force of organic law.”

In the course of an investigation by a Court of Inquiry, which was assembled at Washington for the purpose of determining on whose shoulders the blame of the repeated failures of the grand army of the Potomac ought to rest, a curious letter from President Lincoln to General McClellan was brought to light and read to the Court. It was dated April 9, 1862, and in it the President said:—

“And now allow me to ask you, if you really think I could permit the line from Richmond *via* Manassas Junction to this city to be entirely open, except what resistance could be presented by less than 20,000 unorganized troops? This is a question which the country will not allow me to evade. There is a curious mystery about the number of troops now with you. I telegraphed you on the 6th, saying that you had over 100,000 with you. I had just obtained from the Secretary of War a statement taken, as he said, from your own returns, making 108,000 then with you and *en route* to you. You now say you will have but 85,000 when all *en route* to you shall have reached you. How can this discrepancy of 35,000 be accounted for? As to General Wool’s command, I understand that it is doing precisely what a like number of your own would have to do if that command was away. I suppose the whole force which has gone forward to you is with you by this time; and, if so, I think it is the precise time for you to strike a blow. By delay, the enemy will readily gain on you; that is, he will gain faster by fortifications and reinforcements

than you can by reinforcements alone. And once more let me tell you, it is indispensable to you that you strike a blow. I am powerless to help."

The financial position of the Federal States at the beginning of the year was thus described by Mr. Robert J. Walker, who formerly filled the post of Secretary of the Treasury under President Polk:—

"Our national finances are involved in extreme peril. Our public debt exceeds \$720,000,000, and is estimated by the Secretary of the Treasury, on the 1st of July next, at \$1,122,297,403, and on the 1st of July, 1864, at \$1,744,685,586. When we reflect that this is nearly one-half the debt of England, and bearing almost double the rate of interest, it is clear that we are approaching a fatal catastrophe. Nor is this the most alarming symptom. Gold now commands a premium of 32 per cent., as compared with legal-tender Treasury notes, and with largely augmented issues must rise much higher, with a corresponding increase of our debt and expenditure. Indeed, should the war continue, and there be no other alternative than additional Treasury notes, they will, before the close of the next fiscal year, fail to command 40 cents on the dollar in gold, and our debt exceed several billions of dollars. This would result from an immense redundancy and depreciation of currency, and from the alarm created here and in Europe as to the maintenance of the Union and the ultimate solvency of the Government. Indeed, our enemies, at home and abroad, the rebels, and their allies in the North and in Europe, already announce impending national bankruptcy and repudiation, and there are many devoted patriots who fear such a catastrophe. That the danger is imminent is a truth which must not be disguised. Here lies the great peril of the Government. It is not the rebel armies that can ever overthrow the Union. It is the alarming increase of the public debt and expenditure, and the still more appalling depreciation of the national currency, that most imperil the great Republic. . . . We are upon the verge of ruin. We are hanging over the gulf of an irredeemable paper system, and its spectral shade, repudiation, is seen dimly in the dark abyss. The present Congress may save us; but what of the next? Would they, if they could? Who can answer? Can they, if they would? No! no! It will then be too late!"

<sup>1</sup> The following are the particulars of the Public Debt outstanding January 2, 1863:—

|   |   |   |   |                |
|---|---|---|---|----------------|
| Loan of 1842 in course of payment       | . | . | . | \$2,883,364 11 |
| Loan of 1847                            | . | . | . | 9,415,250 00   |
| Loan of 1848                            | . | . | . | 8,908,341 80   |
| Loan of 1858                            | . | . | . | 20,000,000 00  |
| Loan of 1860                            | . | . | . | 7,022,000 00   |
| Loan of 1861, Act of Feb. 8, 1860       | . | . | . | 18,415,000 00  |
| Loan of 1861, Act of July 18, 1861      | . | . | . | 50,002,000 00  |
| Loan of 1862, Five-twenty Six per Cent. | . | . | . | 25,050,850 00  |
| Texas Indemnity                         | . | . | . | 3,461,000 00   |



On the 2nd of February a Bill for Arming Negroes passed the

|  |                |
|--|----------------|
| Oregon war debt . . . . .  | \$1,026,600 00 |
| Texas debt . . . . .   | 112,092 59     |
| Old funded and unfunded debt . . . . .   | 114,115 48     |
| Treasury notes under Acts prior to 1857 . . . . .  | 104,561 64     |
| Treasury notes under Acts subsequent . . . . .   | 2,750,350 00   |
| Treasury notes, seven-thirty per cent. interest . . . . .                                      | 139,998,000 00 |
| Temporary deposits at 4 per cent. . . . .  | 38,458,008 50  |
| Temporary deposits at 5 per cent. . . . .  | 41,777,628 16  |
| United States' notes, legal tender and receivable for Customs . . . . .                        | 14,913,315 25  |
| United States' notes, legal tender . . . . .   | 223,108,000 00 |
| Postal currency less than \$1 . . . . .  | 6,844,036 00   |
| Certificates of indebtedness, 6 per cent. . . . .  | 110,321,241 65 |
| Requisitions on the Treasury for soldiers' pay and other creditors, due but not paid . . . . . | 59,117,597 46  |

Total funded and unfunded debt to Jan. 2, 1863, according to the books in the Treasury Department . . . . . \$783,804,252 64

To which may be added the estimates of appropriations made and asked for to July 1, 1864 (including \$100,000,000 that may be undrawn at the end of the year, and which will be due, though not paid), amounting to, say . . . . . 1,216,195,747 36

Public debt estimated to July 1, 1864, if the war continues on the same scale to that time . . . . . \$2,000,000,000 00

To show the increase of the cost of all leading articles of consumption with the price of gold, which is measured by the increase of the paper currency, the following table was prepared by one of the commercial newspapers of New York, giving the value of fifty-five leading articles, in units, at the different dates mentioned, and the premium on gold, and the amount of irredeemable paper money afloat at each date:—

|                         | Gold.      | Prices.<br>55 Articles. | Paper<br>outstanding. |
|-------------------------|------------|-------------------------|-----------------------|
| January, 1862 . . . . . | Par.       | \$804                   | \$20,550,326          |
| April, " . . . . .      | 1½ premium | 844                     | 105,880,000           |
| January, 1863 . . . . . | 32 "       | 1,312                   | 244,366,251           |
| February, " . . . . .   | 72 "       | 1,400                   | 298,378,201           |
| March, " . . . . .      | 54 "       | 1,524                   | 345,553,500           |
| July, " . . . . .       | 25 "       | 1,323                   | 408,854,456           |
| October 10 " . . . . .  | 54 "       | 1,455                   | 410,000,000           |

The general price of these commodities was eighty per cent. higher in October this year than it was in February last year. Fifty-five articles, of which the price was \$804 then, cost now \$1455. These articles of daily consumption, which were used for fuel and food, may be taken as an illustration of the effects of this rise in prices on the poor. Taking coal per ton, and sugar and coffee per 100lb. we find:—

|                         | Coal.  | Sugar<br>\$100 lb. | Coffee<br>\$100 lb. | Total.  |
|-------------------------|--------|--------------------|---------------------|---------|
| January, 1862 . . . . . | \$4 25 | \$6 87             | \$17 25             | \$28 37 |
| April, " . . . . .      | 4 50   | 6 00               | 20 50               | 31 00   |
| March, 1863 . . . . .   | 7 00   | 9 25               | 28 50               | 44 75   |
| July, " . . . . .       | 8 00   | 10 25              | 28 50               | 46 75   |
| October 10 " . . . . .  | 9 00   | 10 75              | 30 50               | 50 25   |

Wages had not risen in this proportion, and the consequence was an immense amount of suffering.

House of Representatives, by a majority of 83 to 54. It provided that the President might arm such number of negroes as he might deem necessary for a term not exceeding five years. Their rations, clothing, and equipments were to be the same as for other soldiers, and their pay not to exceed the then rates; they were to be officered by white or black persons, and governed by the Articles of War and such special rules as the President might direct; but no black officer was to exercise authority over white officers or men, nor were privates or labourers of colour to receive more than \$10 per month. There was an important proviso that no slaves of loyal owners should be thus employed, nor should any recruiting offices be opened in Delaware, Maryland, West Virginia, Kentucky, Tennessee, or Missouri without the consent of the Governors of those States.

The term of the existing Congress expired on the 4th of March. It had passed the Conscription Act, the Banking and Currency Bills, and the Act authorizing the President to suspend the *Habeas Corpus* at his discretion. But there being still business for the Senate to transact, the President issued a proclamation summoning an extra Session of that body, to commence immediately after the adjournment; so that the meetings of the Senate were not interrupted.

The Bill of Indemnity for certain recent acts of arbitrary arrest and imprisonment by the President and the Secretaries of State and War was brought before the Senate, and the debate lasted till five o'clock on the following morning. A motion for adjournment was made, but was not carried. On attempting to resume the discussion, a member, Mr. Bayard, who had protested against the Bill as unconstitutional, was called to order by the Chair on the ground that the Bill had passed. As no vote was taken upon it, the Democrats contended that it was not law, and must be resisted.

At the end of January, after an unsuccessful attempt at attack, General Burnside resigned the command of the army of the Potomac, and was succeeded by General Hooker. In taking leave of the troops, General Burnside said, speaking of his own inglorious campaign, "The short time that he has directed your movements has not been fruitful of victory, nor any considerable advancement of our line; but it has again demonstrated an amount of courage, patience, and endurance that under more favourable circumstances would have accomplished great results."

Two expeditions were now organized by the North, from which great expectations were entertained. The one was the sailing of a naval armament to attack and capture Charleston; and the other, a simultaneous attempt by General Banks operating from New Orleans, and General Sherman operating from Memphis, to open the river Mississippi. General Banks was to attack Port Hudson not far from Bâton Rouge, while General Sherman pressed forward the siege of Vicksburg in the upper part of the great river. At this time General Grant commanded the Federal army of the

Mississippi, and General Rosencrans the Federal army in Tennessee. General Sherman's troops began to work at continuing a canal which had been dug some months previously by a body of negroes under General Williams, with the intention of diverting the channel of the Mississippi from the bed of the river opposite Vicksburg. On the other side, General Joseph Johnstone, who commanded the Confederates in the Western Department, concentrated 150,000 men for the defence of the city.

The naval force destined for the attack on Charleston reached the harbour at the beginning of February. It was under the command of Commodore Ingraham, and he made the attempt to force a passage to the city during the night, while the moon was shining brightly. His ships, however, were met by the iron-clad steamers of the Confederates, and were so damaged that they were obliged to turn round, and with difficulty made their escape to the open sea. Another attempt by the Federals on Galveston harbour about the same time also signally failed, and their vessels were so completely beaten off that the Confederates claimed the right to declare that the blockade was raised. A circular was accordingly addressed by Mr. Benjamin, the Confederate Secretary of State, to the Consular Agents at the Confederate ports, in which he stated:—

“I have again to inform you of the raising of the blockade of two Southern ports by superior forces. This Government is officially informed of the total dispersion and disappearance of the blockading squadron recently stationed off Galveston harbour by the combined attack of land and naval forces of the Confederacy. In this attack the enemy's steamer ‘Harriet Lane’ was captured, and the flagship of the squadron, the ‘Westfield,’ was blown up and destroyed. The blockade of the port of Galveston is, therefore, at an end. The armed river boats which raised the blockade at Galveston then proceeded to Sabine Pass, where they again attacked the enemy's blockaders, captured thirteen guns, a large quantity of stores, and a number of prisoners. No blockading fleet now exists off Sabine Pass, and the steamers of the Confederacy were, at the last accounts, cruising off the Pass with no enemy in sight. This information is given for the guidance of such of the merchants of your nation as may desire to trade with either of the open ports of Galveston or Sabine Pass.”

A second attack was made upon Charleston on the 7th of April, by a strong Federal naval force under the command of Admiral Dupont. When the fleet came within range of Fort Sumter, the batteries there and on Sullivan's Island opened fire with such deadly effect that the Admiral's ship became quickly disabled, and was obliged to retire from the contest. The rest of the squadron had no better success, and were compelled to abandon the attempt, as the iron-clad vessels were so seriously injured as to be unable to continue the contest, and one of them was sunk. The approach to the inner harbour was defended not only by the shore batteries, but

also by three lines of floating obstructions, which rendered the passage wholly impracticable.

Commodore Farragut, who last year performed the most brilliant exploit of the war on the Federal side, by the capture of New Orleans, commanded the flotilla on the Mississippi, which was to force its way up the river past the Port Hudson batteries, and so advance to the attack of Vicksburg from the south. He succeeded in his object in the middle of April, after losing some of his vessels in an engagement with the batteries, and he reached the Red River, from which Vicksburg had drawn its supplies, and opened a communication with Admiral Porter, who commanded the flotilla operating against the place from the river. A considerable Federal force was marched to a point on the right bank of the Mississippi below Vicksburg; the Confederate works at Grand Gulf were bombarded and occupied; and the Federal army, conveyed across the river to Bowlingsburg, gained a firm footing in Mississippi. Upon the fate of this stronghold the chief interest of the war this year was for some time concentrated. It had already held out so long that it was believed by the Confederates to be impregnable. In front a belt of marsh land, two hundred yards in width, stretched three miles along the Mississippi to the foot of the precipitous hill on the side of which the terraced city stood. Every terrace, and the summit of every slope, was covered with batteries, and from the south of the Yazoo river the approaches were hardly less formidable. A series of ravines, formed by winter torrents, constituted so many outworks for the town, which engineering skill enabled the garrison to convert into strong positions. An attempt to reduce the place was made by cutting the "level" of the Yazoo river, so as to inundate the whole country in the rear of Vicksburg, and enable the Federals to float their lighter transports up from the Mississippi and Yazoo, and so intercept the communications between Vicksburg and Jackson, and cut off the supplies of the garrison. But they did not confine themselves to this, which might be justified as a military manœuvre; but, in mere wantonness of destruction, in order to injure Confederate property as much as possible, they in the month of March cut the dykes by which the mighty stream of the Mississippi is kept from overflowing its banks as it runs past the States of Arkansas and Louisiana, and an extent of territory amounting to not less than 5000 square miles was covered by the rushing waters and converted into a pestilential marsh.

An attempt to take Vicksburg by assault previously had completely failed. An immense flotilla, containing General Sherman's army of 40,000 men, glided down the Mississippi from Memphis, and disembarked the troops a few miles up the Yazoo river. They advanced to the attack, but were repulsed with fearful slaughter.

President Davis set apart the 27th of March to be observed, in the Confederate States, as a day of fasting, humiliation, and prayer. He stated in his proclamation:—

"It is meet that, as people who acknowledge the supremacy of



the living God, we should be ever mindful of our dependence on Him, and should remember that to Him alone can we trust our deliverance, that to Him is due the devout thankfulness for signal mercies bestowed on us, and that by prayer alone can we hope to receive continued manifestation of that protecting care which has hitherto shielded us in the midst of trials and dangers. In obedience to this precept we have from time to time been gathered together with prayers and thanksgiving, and He has been graciously pleased to hear our supplications, and to grant abundant exhibitions of His favour to our arms and our people.

“Through many conflicts we have now attained a place among nations which commands their respect; and let the enemies who encompass us around and seek our destruction see that the Lord of Hosts has again taught them the lesson of His inspired word, ‘that the battle is not to the strong,’ but to whomsoever He willeth to exalt. Again an enemy, with loud boasting of power, of their armed men and mailed ships, threaten us with subjugation, and with evil machinations seek, even in our homes and at our own firesides, to pervert our men-servants and our maid-servants into accomplices of their wicked designs.

“Under these circumstances it is my privilege to invite you once more to meet together and prostrate yourselves in humble supplication to Him who has been our constant and never-failing support in the past, and to whose protection and guidance we trust for the future.”

On the 10th of April President Davis issued an address to the Confederate States, in which he referred with pardonable ambition to the success of their resistance hitherto, and, while he spoke hopefully of the future, called upon his countrymen to make fresh exertions for their independence. He said:—

“Your devotion and patriotism have triumphed over all these obstacles, and called into existence the munitions of war, the clothing and the subsistence which have enabled our soldiers to illustrate their valour on numerous battle-fields, and to inflict crushing defeats on successive armies, each of which our arrogant foe fondly imagined to be invincible. The contrast between our past and present condition is well calculated to inspire full confidence in the triumph of our arms. At no previous period of the war have our forces been so numerous, so well organized, and so thoroughly disciplined, armed, and equipped as at present. The season of high water, on which our enemies relied to enable their fleets of gunboats to penetrate into our country and devastate our homes, is fast passing away; yet our strongholds on the Mississippi still bid defiance to the foe, and months of costly preparations for their reduction have been spent in vain. Disaster has been the result of their every effort to turn or storm Vicksburg and Fort Hudson, as well as every attack on our batteries on the Red River, the Tallahatchie, and other navigable streams. Within a few weeks the falling waters and the increasing heats

of summer will complete their discomfiture, and compel their baffled and defeated forces to the abandonment of expeditions on which was based their chief hope of success in effecting our subjugation.

"We must not forget, however, that the war is not yet ended, and that we are still confronted by powerful armies and threatened by numerous fleets, and that the Government that controls those fleets and armies is driven to the most desperate effort to effect the unholy purpose in which it has thus far been defeated. . . .

"The very unfavourable season, the protracted droughts of last year, reduce the harvests on which we depend far below an average yield, and the deficiency was, unfortunately, still more marked in the northern part of our Confederacy, where supplies were specially needed for the army. If, through a confidence in an early peace, which may prove delusive, our fields should now be devoted to the production of cotton and tobacco, instead of grain and live stock, and other articles necessary for the subsistence of the people and army, the consequences may prove serious if not disastrous, especially should this present season prove as unfavourable as the last. Your country therefore appeals to you to lay aside all thought of gain, and to devote yourselves to securing your liberties, without which these gains would be valueless. It is true that the wheat harvest in the more southern States, which will be gathered next month, promises an abundant yield; but, even if this promise be fulfilled, the difficulty of transportation, enhanced as it has been by an unusually rainy winter, will cause embarrassments in military operations and sufferings among the people, should the crops in the middle and northern portions of the Confederacy prove deficient. But no uneasiness may be felt in regard to a mere supply of bread for men. It is for the large amount of corn and forage required in the raising of live stock, and the supplies of the animals used in military operations, too bulky for distant transportation; and in them the deficiency of the last harvest was mostly felt. Let your fields be devoted exclusively to the production of corn, oats, beans, peas, and potatoes, and other food for man and beast; let corn be sown broadcast for fodder in immediate proximity to railroads, rivers, and canals, and let all your efforts be directed to the prompt supply of these articles in the districts where our armies are operating. You will thus add greatly to their efficiency, and furnish the means without which it is impracticable to make those prompt and active movements which have hitherto stricken terror into our enemies and secured our most brilliant triumphs. . . ."

A proclamation was issued by President Lincoln on the 8th of May, by which he declared that:—

"No plea of alienage will be received or allowed to exempt from the obligations imposed by the aforesaid Act of Congress any person of foreign birth who shall have declared on oath his intention to become a citizen of the United States under the laws thereof,

and who shall be found within the United States at any time during the continuance of the present insurrection and rebellion, at or after the expiration of sixty-five days from the date of this proclamation; nor shall any such plea of alienage be allowed in favour of any such person who has so, as aforesaid, declared his intention of becoming a citizen of the United States, and shall have exercised at any time the right of suffrage, or any other political franchise within the United States, under the laws thereof, or under the laws of any of the several States."

General Grant had the command of a large army in East Tennessee, where, at Chattanooga, the Federal General Thomas was closely hemmed in by the Confederates. Immense exertions were made by the North to send him assistance. He and his troops were besieged in the midst of a hostile country, and there was great danger that they would be starved into surrender. Roads were formed, and long trains of camels wended their way with heavy loads along well-nigh impassable tracks, while reinforcements were hurried on, dragging artillery through fords and mud.

The position of the Confederate forces assembled in Virginia and North Carolina at the beginning of April, will be best indicated by the following extract from the General Orders:—

"The geographical limits of the command of Lieutenant-General Longstreet, embracing the defences of Richmond, and extending south to include the State of North Carolina, the whole under the supervision and general direction of General R. E. Lee, will be divided into three military departments, as follow:—All north of the James river, for the defence of Richmond, will constitute the Department of Richmond, under Major-General Elzey, headquarters Richmond; all that portion of Virginia south of the James river, and east of the county of Powhatan, will constitute the Department of Southern Virginia, under Major-General French, headquarters at some central point near the Black Water. The State of North Carolina will constitute the Department of North Carolina, under Major-General D. H. Hill, headquarters Goldsborough."

A great battle, or rather series of battles, was fought at Chancellorsville, to the north of Richmond, in the beginning of May. Leaving a *corps d'armée* threatening the heights of Fredericksburg, where the main body of the Confederate army was supposed to be stationed, General Hooker, at the end of April, threw 80,000 or 90,000 men across the Rappahannock, and turned the left flank of the Confederates. In order to enable the reader to understand the locality of the scene of conflict, we avail ourselves of a spirited description written by an eye-witness, who, after mentioning that Chancellorsville owes its name to a large brick house where a certain Mr. Chancellor once lived, and kept an hotel, goes on to say<sup>2</sup>:—

"Chancellorsville is connected with Fredericksburg by two

<sup>2</sup> See the "*Times*," June 16, 1863.

highway-roads, which unite in front of the house, where, deflecting from the westerly course they have hitherto pursued, they proceed together in a south-westerly direction towards Orange Court House. These roads are distinguished by the names of the turnpike and plank roads. In former times Fredericksburg was connected with Chancellorsville solely by the turnpike, which during most of its course runs nearer to the river than the plank, the latter having been laid down because, being further from the river, it avoided the hilly bluffs which adjoin the stream. Almost parallel with these two roads runs the river Rappahannock, until, twelve miles west of Fredericksburg, it bifurcates, the north branch of the Rappahannock running northwards and westwards, while the Rapidan river flows in from the south-west. Two miles below the junction of the streams the Rappahannock is crossed by the United States Ford. Eight miles above Fredericksburg is another ford called Freeman's Landing; four miles above Fredericksburg another called Banks's Ford; while at and below Fredericksburg itself, in place of the two bridges which once spanned the stream, pontoon bridges have been in many places thrown across by the Federals. Proceeding westward, and following the two streams above the fork, the north branch of the Rappahannock is traversed by one or two fords, of which Kelly's is the principal, while the Rapidan is crossed by Ely's and Germanna Fords. The whole of the country commencing four miles west of Fredericksburg and for ten miles southward and westward of Chancellorsville is clothed with woods, dense as the primeval forests of Germany, in which Varus' legions were destroyed, consisting partly of pine, partly of scrub oak, called here black jack, intertwined with a thick undergrowth of chicopin, and apparently impenetrable save to rabbits and foxes. To the wild, dreary region extending southwards and westwards of Chancellorsville, towards Orange Court House, has been given the appropriate name of the Wilderness."

The main body of the Federal army crossed the Rappahannock at Kelly's and other fords on the morning of the 29th of April. From Kelly's Ford the right and centre then crossed the Rapidan and occupied ground to the south of Fredericksburg, the defences of which were thus turned and Richmond itself was threatened. Next day nearly the whole of the great Federal army was in line, and advanced towards Fredericksburg, sweeping before it a Confederate division which was stationed near the United States Ford. General Lee threw up earthworks half-way between Fredericksburg and Chancellorsville, and thus arrested the march of the enemy. General Hooker then retired slowly upon Chancellorsville, followed by General Lee, and in the evening the Confederate General Stuart attacked part of the Federals with his cavalry, and they fell back. On the 1st of May Lee continued to advance and Hooker to retire.

"But," to use the words of the writer already quoted, "as they neared Chancellorsville, the former penetrated the latter's



purpose in retreating, when he discovered that about 500 yards in front of Chancellorsville, in the midst of a dense thicket of black jack, the Federal pioneers had thrown up very strong intrenchments at right angles to the turnpike and plank roads with an abattis of felled trees bristling outwards in front, and seemingly defying the passage of any living and walking animal. Running southwards for about a mile from the plank road, the Yankee works turned short to the west until they again met the plank road between Chancellorsville and Orange Court House, towards the latter of which points another plank road deflects in a south-westerly direction after leaving Chancellorsville. Within these works the Yankees stood thickly and savagely at bay, their powerful artillery massed on some high ground a little in the rear. Their position was fearfully formidable—repulse, if the works were attacked solely from the front, seemed inevitable—the loss of life to the assailants anyhow must have been ghastly. Under these circumstances General Lee resolved to outflank the flanker.”

On the next day, General “Stonewall” Jackson executed a daring movement. At the first break of dawn he set out with three divisions, and making a long *détour*, got round to the enemy’s right, where he suddenly attacked them in the evening on their flank and rear, while General Lee opened a heavy artillery fire upon their front. The Federals were thrown into confusion, and seem to have been only saved by the approaching darkness from utter discomfiture. But the success of the Confederates was dearly purchased by the death of their favourite leader, General Jackson, who fell by a chance bullet from one of his own men. We will give the account of his fatal wound as it is told by the same writer :—

“Formation or order the Federals had none; reserves, tactics, organization, disposition, plan, all went down before the whirlwind suddenness of the surprise. The loss of the Confederates was ludicrously small; their advance like that of a white squall in the bay of Naples. Night had fallen. About eight o’clock General Jackson rode forward with two or three of his Staff along the plank road, and advanced 150 yards in front of his foremost skirmishers, peering with those keen eyes which you might fancy could be seen through the densest gloom, forward into the night. He turned to ride back—a heavy fire from one of his own regiments, hailing from South Carolina, but whose number I will in mercy withhold, saluted him. One bullet struck his left arm four inches below the shoulder, shattering the bone down to the elbow. The wound was intensely painful; he half fell, half was lifted from his horse. An aide galloped back to A. P. Hill to report that Stonewall Jackson was wounded and lying in the road. General Hill galloped hastily up, flung himself from the saddle, began, choked with emotion, to cut the cloth of Jackson’s sleeve, when suddenly four of the Federal videttes appeared on horseback, and were fired on by the Staff officers. The videttes fell back upon a strong and

swiftly advancing line of Federal skirmishers. General Hill and all the officers and couriers of both Staffs had no alternative but to mount and ride for their lives, leaving Jackson where he lay."

He was, however, not recognized by the Federals, who swept past him, and were in turn driven back. But in the mean time two more bullets had struck the fallen hero, and both again from his own men. He was carried to the rear, and his arm was amputated; but his strength failed him, and he soon afterwards died—the most chivalrous soldier and the ablest officer that the American civil war has hitherto produced.

Next day, Sunday, May 3rd, the battle was renewed, and raged furiously along the whole line. Marye's heights were taken by the Federals, but recaptured the next day, and this was their only even temporary success, for the strong defences formed by them, consisting of trunks of trees and logs with interwoven branches, so as to be almost impenetrable, were stormed by the Confederates, and the enemy behind their shelter was completely broken.

"With astonishing accuracy Stuart's enfilading fire had torn through their ranks. In every variety of attitude of death, torn, rent, and shivered into scarcely distinguishable relics of humanity, lay what so lately had breathed and moved. Still more terrible and strangely appalling was the road from Chancellorsville towards Orange Court House, along which, and on either side of which, Jackson had descended to the harvest of death. Tumbrils overthrown, caissons exploded, horses dead and dying, sometimes with broken legs, sometimes with ghastly wounds, human bodies in every guise of suffering and death, riven trees, and, most fearful of all, a crackling fire, running swiftly through the grass and black jack brushwood, and suggesting dreadful thoughts of wounded and helpless men perishing by the most agonizing death known to humanity, froze the blood with horror, as the spectator in agony turned his eyes to Heaven, to gain a moment's relief from the unutterable and woful anguish of earth."

We need not continue the details of the battle, which had, in fact, now become a rout. The shattered columns of the Federals next morning made for Banks's Ford, pursued by the Confederates, and at nightfall, under cover of a dense fog, they crossed by a pontoon bridge, and, under a heavy fire from their victorious foes, reached the northern bank of the Rappahannock, a beaten and demoralized army, having lost in killed, wounded, and missing, 28,000 men.

When General Lee heard of Jackson's wound, he wrote to him, and said:—

"If I could have directed events, I should have chosen, for the good of the country, to have been disabled in your stead. I congratulate you upon the victory, which is due to your skill and energy."

He also issued the following General Order upon the 11th of May:—

“With deep grief the Commanding-General announces to the army the death of Lieutenant-General Jackson, who expired upon the 9th, at 3.15 p.m. The daring skill and energy of this great and good soldier, by a decree of an All-wise Providence, are now lost to us; but while we mourn his death, we feel that his spirit lives, and will inspire the whole army with his indomitable courage and unshaken confidence in God as our hope and strength.

“Let his name be a watchword for his corps, who have followed him to victory on so many fields. Let officers and soldiers imitate his invincible determination to do every thing in the defence of our beloved country.”

## CHAPTER VII.

### CIVIL WAR IN AMERICA (*continued*).

Advance of the Confederate Army across the Potomac into Maryland—Battle of Gettysburg—The Confederates recross the Potomac—Riots at New York owing to the Conscription—Final Siege and Surrender of Vicksburg—Surrender of Port Hudson—President Davis proclaims a Conscription—Federal Attack on Charleston—Address of President Lincoln to Union Committee in Illinois—He suspends the Writ of *Habeas Corpus*—Withdrawal of the Confederate Commissioner from England—Confederate Victory at Chickamauga, in Tennessee—Operations in North Virginia—Battle of Chattanooga, in Tennessee—Message of President Lincoln to the Federal Congress—Message of President Davis to the Confederate Congress.

IN the middle of June the news fell like a thunderbolt on the North that the Confederate army, under General Lee, in imposing force had crossed the Potomac, and was established on the soil of Maryland. It was too true; and the motives which induced General Lee to march into the enemy's territory are stated by himself in an official despatch addressed to the Adjutant-General of the Confederate army. He said:—

“The position occupied by the enemy opposite Fredericksburg being one in which he could not be attacked to advantage, it was determined to draw him from it. The execution of this purpose embraced the relief of the Shenandoah Valley from the troops that had occupied the lower part of it during the winter and spring, and, if practicable, the transfer of the scene of hostilities north of the Potomac.

“It was thought that the corresponding movements on the part of the enemy to which those contemplated by us would probably give rise might offer a fair opportunity to strike a blow at the army therein, commanded by General Hooker; and that in any event that army would be compelled to leave Virginia, and possibly to draw to its support troops designed to operate against other

parts of the country. In this way it was supposed that the enemy's plan of campaign for the summer would be broken up, and part of the season of active exertions be consumed in the formation of new combinations and the preparations they would require.

"In addition to these advantages, it was hoped that other valuable results might be attained by military success."

The movement began on the 3rd of June, and the Federals made several unsuccessful attempts to stop the Confederate advance. The Shenandoah Valley was cleared of the enemy, and a great number of prisoners, and a large amount of military stores, with artillery, fell into the hands of the Confederates. At Winchester a whole Federal division, under General Milroy, was captured or dispersed. The main army of General Hooker withdrew from the line of the Rappahannock, following the road near the Potomac, but avoided crossing the river, although by the 17th of June a part of the Confederate force had already entered Maryland. General Stuart with his cavalry was left to guard the passes of the mountains and harass the movements of the Federals, with instructions to follow into Maryland in case they crossed the Potomac. Generals Longstreet and Hill then crossed the river with their divisions at Williamsport and Shepherdstown, and the columns waiting at Hagerstown advanced into Pennsylvania, encamping near Chambersburg on the 27th. The subsequent movements are thus described by General Lee:—

"Preparations were now made to advance upon Harrisburg; but on the night of the 29th information was received from a scout that the Federal army, having crossed the Potomac, was advancing northwards, and that the head of the column had reached the South Mountains. As our communications with the Potomac were thus menaced, it was resolved to prevent his further progress in that direction by concentrating our army on the east side of the mountains. Accordingly Longstreet and Hill were directed to proceed from Chambersburg to Gettysburg, to which point General Ewell was also instructed to march from Carlisle.

"General Stuart continued to follow the movements of the Federal army south of the Potomac after our own had entered Maryland, and in his efforts to impede its progress advanced as far eastward as Fairfax Court House. Finding himself unable to delay the enemy materially, he crossed the river at Seneca, and marched through Westminster to Carlisle, where he arrived after General Ewell had left for Gettysburg. By the route he pursued the Federal army was interposed between his command and our main body, preventing any communication with him until his arrival at Carlisle."

In the mean time great was the consternation throughout the North. The President immediately issued a proclamation, calling upon Maryland to furnish 10,000, Pennsylvania 50,000, Ohio 30,000, and West Virginia 10,000 men, to repel the invaders.



General Hooker resigned, or was dismissed from the command of the army of the Potomac, and General Meade—an officer previously almost unknown—was appointed in his place. The two hostile armies came into collision at Gettysburg, which lies in a valley surrounded by hills. General Lee says in his despatch:—

“The leading division of Hill met the enemy in advance of Gettysburg on the morning of the 1st of July. Driving back these troops to within a short distance of the town, he there encountered a larger force, with which two of his divisions became engaged. Ewell, coming up with two of his divisions by the Heidlersburg-road, joined in the engagement. The enemy was driven through Gettysburg, with heavy loss, including about 5000 prisoners and several pieces of artillery.

“He retired to a high range of hills south and east of the town. The attack was not pressed that afternoon, the enemy’s force being unknown, and it being considered advisable to await the arrival of the rest of our troops. Orders were sent back to hasten their march, and in the mean time every effort was made to ascertain the numbers and position of the enemy, and find the most favourable point of attack. It had not been intended to fight a general battle at such a distance from our base, unless attacked by the enemy; but, finding ourselves unexpectedly confronted by the Federal army, it became a matter of difficulty to withdraw through the mountains with our large trains. At the same time the country was unfavourable for collecting supplies while in the presence of the enemy’s main body, as he was enabled to restrain our foraging parties by occupying the passes of the mountains with regular and local troops. A battle thus became in a measure unavoidable. Encouraged by the successful issue of the engagement the first day, and in view of the valuable results that would ensue from the defeat of the army of General Meade, it was thought advisable to renew the attack.”

The battle raged all the next day, and some of the positions of the Federals were carried, which induced the Confederates to hope that by renewing the attack on the following morning they would achieve a decisive victory. But the Federals fought with stubborn resolution; and all the efforts of the enemy were in vain against them. General Lee thus describes his failure and subsequent retreat:—

“The enemy in the mean time had strengthened his line with earthworks. The morning was occupied in necessary preparations, and the battle recommenced in the afternoon of the 3rd, and raged with great violence until sunset. Our troops succeeded in entering the advanced works of the enemy, and getting possession of some of his batteries, but our artillery having nearly expended its ammunition, the attacking columns became exposed to the heavy fire of the numerous batteries near the summit of the ridge, and after a most determined and gallant struggle were compelled

to relinquish their advantage, and fall back to their original positions with severe loss. . . . .

"Owing to the strength of the enemy's position and the reduction of our ammunition, a renewal of the engagement could not be hazarded, and the difficulty of procuring supplies rendered it impossible to continue longer where we were. . . . .

"The army remained at Gettysburg during the 4th, and at night began to retire by the road to Fairfield, carrying with it about 4000 prisoners. Nearly 2000 had previously been paroled, but the enemy's numerous wounded that had fallen into our hands after the first and second day's engagements were left behind.

"Little progress was made that night, owing to a severe storm, which greatly embarrassed our movements. The rear of the column did not leave its position near Gettysburg until after daylight on the 5th.

"The march was continued during the day without interruption by the enemy, except an unimportant demonstration upon our rear in the afternoon, when near Fairfield, which was easily checked. Part of our train moved by the road through Fairfield, and the rest by the way of Castletown, guarded by General Imboden. In passing through the mountains, in advance of the column, the great length of the trains exposed them to attack by the enemy's cavalry, which captured a number of waggons and ambulances; but they succeeded in reaching Williams-fort without serious loss.

"They were attacked at that place on the 6th by the enemy's cavalry, which was gallantly repulsed by General Imboden. The attacking force was subsequently encountered and driven off by General Stuart, and pursued for several miles in the direction of Boonsborough. The army, after an arduous march, rendered more difficult by the rains, reached Hagerstown on the afternoon of the 6th and morning of the 7th of July.

"The Potomac was found to be so much swollen by the rains that had fallen almost incessantly since our entrance into Maryland as to be unfordable."

The Federals came up with the retiring Confederate army on the 13th of July, but did not attempt to attack. In the mean time a pontoon bridge was thrown across the Potomac at a place called Falling Waters; and on that night and the following day the whole Confederate force recrossed the river without any serious interruption from the enemy, and almost without any loss. The carnage, however, at Gettysburg was enormous; and it was computed that not fewer than 50,000 on both sides altogether were put *hors de combat*.

In the mean time the attempt to enforce the conscription at New York gave rise to frightful riots, and the city was for two days in the hands of the mob, who committed shocking atrocities upon the unfortunate negroes that fell in their way. The military were obliged to fire upon the people, and tranquillity was not restored

before several lives were lost, and a large amount of property was destroyed. It had been enacted that personal service might be commuted for a payment of 300 dollars, and all persons in easy circumstances naturally availed themselves of the alternative. The Corporation of New York voted 3,000,000 dollars to buy off the poorer conscripts, and the other municipalities of the State generally followed the example. The compulsory draught accordingly proved, on the whole, a failure.

After a series of bloody conflicts in the rear of Vicksburg, General Grant closely invested the place by land on the 18th of May, while the Federal flotilla, under Admiral Porter, kept up a bombardment from the river on the front. The siege lasted for forty-eight days; and the garrison, under General Pemberton, made a brave resistance. An incessant fire was kept up night and day on the devoted place; and as the Confederates were unable to relieve it, and no supplies could force their way within the lines of the Federals, or by the river, it began to suffer severely from famine. At last it capitulated on the 4th of July,—the anniversary of the Declaration of American Independence. In a long narrative of the siege written by Lieutenant Underhill, an aide-de-camp of General Lee, and a witness of the events which he relates, he thus describes the sufferings of the inhabitants:—

“All the ladies and children, inhabitants of the town, remained within its walls, having had no opportunity to escape. Their lot was a dreadful one. Ladies brought up in the lap of luxury, whose slightest wish they had been accustomed to have obeyed as if it had been an autocrat's decree, who had lived in little palaces—as Southern houses certainly are—and who had always been surrounded with every luxury that taste, refinement, or wealth could desire and procure, had now to leave their comfortable homes, betake themselves to dark unwholesome caves and caverns dug in the sides of the numerous ‘bluffs’ of the Hill City, sleep on the damp floor, and eat their scanty ration of bacon and pea-bread, and latterly of mule-meat, from a plate they required to hold, the scanty dimensions of the caves not warranting the luxury of a table. Those who know the position of Vicksburg, and who are unacquainted with the barbarity of Federal commanders, will naturally inquire the cause that would produce such an effect as this; for they well know that the city itself lies in a hollow, and as no troops or military stores were within the city bounds, the place could just as easily have been reduced by bombardment had a shot never fallen in the streets of the town, and this would have been easily avoided if wished. But, on the contrary, Admiral Porter established a mortar battery behind the woods across the river, opposite the town, and thence, day and night, Sunday and week day, maintained a constant discharge of 13-inch shell upon the devoted city. Many women and children were killed; every street partially laid in ruins; a large portion of the town burnt; and what suffered more than any thing else were the buildings

used as hospitals and gaol. Many hundred sick and wounded—Federals and Confederates—were killed in these buildings; and, whether from chance or intention I know not, but certain it is that the yellow flag, ordinarily held so sacred in modern war, has in this one been but the mark for the hottest and most deadly fire. Occasional flags of truce were asked and granted to bury the dead, and on these occasions the matter of the hospitals was represented to the proper authorities, but all to no effect. About the thirty-fifth day provisions began to get very scarce, and the advent of Johnstone's relieving force was anxiously and momentarily looked for. Mule-meat was the common fare for all alike, and even dogs became in request for the table. Bean-meal was made into bread, and corn-meal into coffee, and in these straits the garrison patiently dragged on the weary length of one day after another, under a scorching sun, the stench from the unburied corpses all around alone causing the strongest minded, firmest nerved to grow impatient for the day of deliverance."

The garrison consisted of less than 15,000 men, and the total number of persons in the place at the time of its surrender, who were afterwards paroled, amounted to 31,277<sup>1</sup>.

Two unsuccessful attempts were made, on the 27th of May and 14th of June, to carry the works of Port Hudson by assault, and some negro regiments, who were placed in the front, suffered terribly. But no supplies could reach the garrison, and they were compelled by the approach of starvation to surrender on the 9th of July. The two Confederate strongholds on the Mississippi, Vicksburg and Port Hudson, were now in the hands of the Federals, and they exulted in the idea that the navigation of the great river was at last clear for their military operations and the transport of commerce. But they were disagreeably undeceived when they found that its banks were still lined by guerilla bands of their enemies, who fired upon the steamers as they attempted to pass, and rendered the passage of the river almost as impracticable as before.

In July, President Davis issued a proclamation for a conscription, to embrace all white men resident in the Confederate States between the ages of eighteen and forty-five years, not legally exempted from military service; and at the end of the month he appointed a Fast Day, on account of the "recent reverses" sustained by the Confederate arms.

The raising of negro regiments by the North had exasperated the South to the greatest possible degree, and they refused to consider them as soldiers entitled, if captured, to be treated as prisoners of war, but sold them as slaves. In consequence of this, President Lincoln proclaimed on the 30th of July, that "if the enemy shall sell or enslave any one because of his colour, the offence shall be punished by retaliation upon the enemy's prisoners in our posses-

<sup>1</sup> One account gives 23,000 as the total number of prisoners captured.



sion. It is, therefore, ordered that, for every soldier of the United States killed in violation of the laws of war, a rebel soldier shall be executed, and for every one enslaved by the enemy or sold into slavery, a rebel soldier shall be placed at hard labour on the public works, and continued at such labour until the other shall be released, and receive the treatment due to a prisoner of war."

We now turn to Charleston, against which a third attack, under General Gilmore, was organized in the course of the summer. The natural defences of Charleston harbour are Sullivan and Morris islands. The main ship channel runs almost equidistant between these two islands, and every vessel passing into Charleston harbour is exposed to a cross-fire from the batteries erected. At the apex of an obtuse-angled triangle, of which a line drawn from the nearest points of the two islands would be the base, is a shoal or mud bank, on which stands Fort Sumter. This fortress was raised on an artificial foundation of refuse stone from quarries in the neighbourhood, and was intended to carry three tiers of guns, two tiers casemated, and the upper one *en barbette*. It commands the northern and southern channels, so as to block the passage into the harbour.

Against this fort a tremendous cannonade was kept up by the Federals both by sea and land, and its guns were dismounted by the heavy fire from Parrott and Whitworth guns, which rained shot and shell upon the devoted garrison without intermission. On the 21st of August, General Gilmore demanded from General Beauregard the surrender of Fort Sumter and evacuation of Morris Island, on the ground that the rapid destruction of the fort under the fire of his batteries rendered its complete demolition within a few hours a matter of certainty, and he threatened in case of refusal to open fire on the city of Charleston. General Beauregard sternly refused, and protested against the inhumanity of the meditated attack upon non-combatants in a city which was six miles distant from the Federal batteries. At night, however, a battery of Parrott guns began to throw eight-inch shells into the town, and caused the utmost consternation amongst the inhabitants, who were roused from their beds by the explosions of the projectiles. The fire was continued for two or three hours, but, strange to say, caused no casualty to life.

We need not give minute details of the siege, which was carried on by the Federals with an enormous power of artillery, both on land and in their iron-clad ships. It entirely failed up to the end of the present year, and not even Fort Sumter was taken, although it seemed to be little more than a heap of ruins externally. As fast as the Confederate flag that waved there was shot away, another rose in its place, and it replied so vigorously to the fire of its assailants, and was so well protected by other batteries, that the Federals did not venture to try and carry it by storm. They got possession, however, of Morris Island, with the Gregg and Cum-

mings Point batteries, from which they were able more effectually to bombard Charleston itself.

On the 26th of August, President Lincoln addressed a letter to an Union Committee in Illinois which had invited him to attend a meeting of "unconditional Union" men. It is certainly one of the strangest documents that ever issued from the pen of any man calling himself a statesman, with reference to such a frightful calamity as civil war. He said, ". . . . There are those who are dissatisfied with me. To such I would say, you desire peace, and you blame me that we do not have it. But how can we attain it? There are but three conceivable ways. First, to suppress the rebellion by force of arms. This I am trying to do. Are you for it? If you are, so far we are agreed. If you are not for it, a second way is to give up the Union. I am against this. Are you for it? If you are, you should say so plainly. If you are not for force, nor yet for dissolution, there only remains some imaginable compromise. I do not believe that any compromise embracing the maintenance of the Union is now possible. All that I learn leads to a directly opposite belief. The strength of the rebellion is its military, its army. That army dominates all the country, and all the people within its range. Any offer of terms made by any man or men within that range, in opposition to that army, is simply nothing for the present; because such man or men have no power whatever to enforce their side of a compromise, if one were made with them. . . . . A compromise, to be effective, must be made either with those who control the rebel army, or with the people, first liberated from the domination of that army by the success of our own army. Now, allow me to assure you that no word or intimation from that rebel army, or from any of the men controlling it in relation to any peace compromise, has ever come to my knowledge or belief. All charges and insinuations to the contrary are deceptive and groundless; and I promise you that if any such proposition shall hereafter come, it shall not be rejected and kept a secret from you. . . . . But to be plain. You are dissatisfied with me about the negro. Quite likely there is a difference of opinion between you and myself upon that subject. I certainly wish that all men could be free, while you, I suppose, do not. Yet, I have neither adopted nor proposed any measure which is not consistent with even your view, provided that you are for the Union. I suggested compensated emancipation, to which you replied you wished not to be taxed to buy negroes. But I had not asked you to be taxed to buy negroes, except in such way as to save you from greater taxation, to save the Union exclusively by other means. You dislike the Emancipation proclamation, and perhaps would have it retracted. You say it is unconstitutional. I think differently. . . . . The signs look better. The Father of Waters again goes unvexed to the sea. Thanks to the great North-West for it. Nor yet wholly to them. Three hundred miles up they

met New England, Empire, Keystone, and Jersey, hewing their way right and left. The sunny South, too, in more colours than one, also lent a helping hand. On the spot their part of the history was jotted down in black and white. The job was a great national one, and let none be slighted who bore an honourable part in it. And while those who have cleared the great river may well be proud, even that is not all. It is hard to say that any thing has been more bravely and well done than at Antietam, Murfreesborough, Gettysburg, and on many fields of less note. Nor must Uncle Sam's web-feet be forgotten. At all the watery margins they have been present, not only on the deep sea, the broad bay, and the rapid river, but also up the narrow muddy bayou, and wherever the ground was a little damp, they have been and made their tracks.

"Thanks to all for the Great Republic, for the principle by which it lives and keeps alive for man's vast future. Thanks to all.

"Peace does not appear so distant as it did. . . . ."

On the 15th of September, President Lincoln issued a proclamation suspending the writ of *Habeas Corpus*. This he was authorized to do by an Act which passed through Congress, as we have already mentioned. The suspension was to be in force "throughout the United States in cases where, by the authority of the President of the United States, military, naval, and civil officers of the United States, or any of them, hold persons under their command, or in their custody, either as prisoners of war, spies, or aiders or abettors of the enemy, or officers, or soldiers, or seamen enrolled, draughted, or mustered or enlisted in or belonging to the land or naval forces of the United States, or as deserters therefrom."

In the course of the year, Mr. Mason, the Confederate Commissioner, who was one of the persons seized on board the "Trent" in November, 1861, and who had since his restoration by the Federal Government resided in this country, and acted on behalf of the Confederate Government, although in no way recognized in that capacity by our own, was recalled by President Davis. The reasons which induced the President to take this step will appear from the following letter, addressed by Mr. Mason to Earl Russell, on the 21st of September:—

"My Lord,—In a despatch from the Secretary of State of the Confederate States of America, dated 4th day of August last, and now just received, I am instructed to consider the commission which brought me to England as at an end, and I am directed to withdraw at once from this country.

"The reasons for terminating this mission are set forth in an extract from the despatch, which I have the honour to communicate herewith.

"The President believes that 'the Government of Her Majesty has determined to decline the overtures made through you for establishing, by treaty, friendly relations between the two Govern-

ments, and entertains no intention of receiving you as the accredited Minister of this Government near the British Court.

“Under these circumstances, your continued residence in London is neither conducive to the interests nor consistent with the dignity of this Government; and the President therefore requests that you consider your mission at an end, and that you withdraw with your Secretary from London.”

“Having made known to your Lordship on my arrival here the character and purposes of the mission entrusted to me by my Government, I have deemed it due to courtesy thus to make known to the Government of Her Majesty its termination, and that I shall, as directed, at once withdraw from England.”

The key to the entrance into East Tennessee was the pass of Cumberland Gap, and here the Confederate commander seems to have been either faithless or unequal to his post. He surrendered to General Burnside, and his whole force were taken prisoners of war, thus leaving the road into Tennessee open to the Federals. But an important victory was gained by the Confederates at Chickamauga in Tennessee in September. General Bragg commanded the Confederates, and General Rosencrans the Federals. The Confederates were reinforced by General Longstreet, who was detached by General Lee from the army of Virginia, and came up with his division by forced marches so as to join Bragg on the night of the 19th of September. He was immediately put in command of the left wing. General Burnside was on his way to reinforce Rosencrans, who had occupied Chattanooga after the Confederates had abandoned it, and whom Bragg determined to attack before the junction with Burnside could take place. Rosencrans concentrated his troops in a strong position on the slope of a chain of hills at Chickamauga Creek, about seventeen miles south-east of Chattanooga. The battle began at noon on the 19th, and lasted for two days. On the first the Federals were driven back by the impetuous onset of the Confederates, and were only saved from destruction by the stubborn resistance offered to the enemy by General Thomas at the head of his division. Next day the success of the Confederates was chiefly due to General Longstreet, whose men swept every thing before them. The Federals broke and fled through the village of Rossville in the direction of Chattanooga, nor did they stop until they reached that place in their disorderly retreat. In describing this victory General Bragg said:—

“The enemy retreated on Chattanooga last night, leaving his dead and wounded in our hands. His loss is very large in men, artillery, small arms, and colours. Ours is heavy, but not yet ascertained. The victory is complete, and our cavalry is pursuing. With the blessing of God, our troops have accomplished great results against greatly superior numbers.”

In this great battle the Federals are supposed to have lost 10,000, and the Confederates 5000 men.



The position of the Federals in Tennessee was now perilous in the extreme. Rosencrans, at Chattanooga, and Burnside, at Knoxville, were divided in the midst of a population bitterly hostile, with the victorious forces of the Confederates in front of them, threatening to attack either army, and crush it in detail.

President Davis, who visited the Confederate lines in person, addressed a letter of thanks, on the 14th of October, to the army of Tennessee for their important success, saying:—

“Soldiers,—A grateful country recognizes your arduous services, and rejoices over your glorious victory on the field of Chickamauga. When your countrymen shall more fully learn the adverse circumstances under which you attacked the enemy, though they cannot be more thankful, they may admire more the gallantry and patriotic devotion which secured your success. Representatives of every State of the Confederacy, your steps have been followed up with affectionate solicitude by friends in every portion of the country. Defenders of the heart of our territory, your movements have been an object of interest, anxiety, and hope. . . . .

“I fervently hope that this ferocious war, so unjustly waged against our country, may soon end, and that, with the blessing of peace, you may be restored to your homes and useful pursuits; and I pray our Heavenly Father may cover you with the shield of His protection in your battle and endow you with the virtues which will close your trials in victory complete.”

In the mean time, the Confederate army in Northern Virginia, under General Lee, crossed the Rapidan to the north, on the 9th of October, with the view of bringing on an engagement with the Federal army of the Potomac, under General Meade, which was encamped in the vicinity of Culpepper Court House. The advance guard of the enemy was attacked next day near James' city and driven back; and afterwards his cavalry, which had crossed the Rapidan, was compelled to retire, and crossed the Rappahannock. The whole line of the Federals now fell back, and was pursued by the Confederates, but, with the exception of a skirmish between General Ewell's and General Hill's advance and the rear-guard of the Federals, no engagement took place, as the Confederates were unable to come up with the retreating foe. The Federal army retired beyond Bull's Run, and then began to fortify its position. General Lee says:—

“The vicinity of the intrenchments around Washington and Alexandria rendered it useless to turn his new position, as it was apparent that he could readily retire to them, and would decline an engagement unless attacked in his fortifications. A further advance was, therefore, deemed unnecessary, and after destroying the railroad from Cub Run southwardly to the Rappahannock the army returned on the 18th to the line of that river, leaving the cavalry in the enemy's front.”

On the 18th the Confederate General Imboden marched upon Charleston (*not* the Charleston in North Carolina), and succeeded by a well-concerted plan in surrounding the place and capturing nearly the whole force stationed there, with all their stores and means of transport; only a few escaping to Harper's Ferry. The enemy advanced from that place in superior numbers to attack General Imboden, who retired, bringing off his prisoners and captured property, his command suffering very little loss, and inflicting some damage upon the pursuing column. In the course of the operations, 2436 prisoners were captured, including forty-one commissioned officers. General Lee now detached as many troops as he could venture to spare from his own force, and sent them to operate against Generals Grant and Burnside in Tennessee. He himself retired southwards, destroying the railroad on his route, and for some time the Federals remained totally inactive, apparently not aware that the enemy was weakened by the loss of the regiments which had marched into Tennessee. On the 7th of November, however, General Meade suddenly left his encampment, and moved southwards with his army. But they found on the north bank of the Rappahannock a Confederate force of about 3000 men occupying the earthworks which they themselves had constructed during their previous occupation of the same spot. An engagement took place, and the Confederates, after a desperate resistance, were compelled to retire across the river with considerable loss. Next day the Federals crossed the Rappahannock and continued their march to Culpepper, where their advance was repulsed with loss. The Confederates then fell back, skirmishing as they retired, until they reached their old fortified position south of the Rapidan. Here they halted, and both armies confronted each other on their former ground, nor did any material change of position or engagement between them take place during the remainder of the year.

The distance from General Lee's head-quarters to Chattanooga in Tennessee by the roads which the reinforcement he had sent must march, was about six hundred miles. General Burnside was in imminent danger of being cut off, being hard pressed by superior numbers. Indeed, two of his advanced positions were attacked and captured. The great object of General Grant, one of the ablest of the Federal commanders, was either to join him or effect a diversion in his favour; and this at last, by a well-executed movement and considerable strategic skill, he was enabled to do. His forces, and those of the Confederates under General Bragg, confronted each other on the 23rd of November at Missionary Ridge and Look-out Mountain, both of which were occupied by the Confederates. Missionary Ridge is not far from Chattanooga, and here an obstinate battle commenced, which lasted with varying success for the usual period of two days.

The Confederate position extended from Look-out Point four miles up the western slopes of the valley. Doubling back from

the point for four miles more to Missionary Ridge, it took the form of the letter V. The apex of that part of the lines was presented to the enemy. From the junction with Missionary Ridge the Confederate position extended in a straight line on its summit; and, strong though it was for the whole extent of its steep face, its weak point lay between the Ridge and the mountain at the opening of the valley that spread out into a wide flat within the Ridge.

General Grant was reinforced by a detachment from the army of the Potomac, under General Sherman, which brought up the Federal force to about 80,000 men. On the morning of the 23rd of November the slopes of Missionary Ridge were covered with fog, and the Federals formed line for the attack on the extreme right of the Confederates in the valley below. They secured an intermediate height, known as Orchard Ridge, which they strengthened by field-works. Next day they were seen moving across Look-out Valley in large masses, enveloped in mist, and they ascended with determined gallantry the steep slope of the mountain against a murderous fire, until the thickening mist put a stop to the conflict. But next night General Bragg ordered his men to evacuate Look-out Mountain, and they concentrated themselves on the crest of Missionary Ridge, the left being held by General Breckenridge, and the right by General Hardee. We borrow an account of what followed from a description of the battle written by an eye-witness:—

“White fog enveloped on the morning of the 25th of November the low country that spreads out to the Tennessee from the foot of Missionary Ridge. This having cleared off as the day advanced, the Confederates beheld, as in a panorama, dark lines of the enemy approaching their extreme right. In vain their artillery mowed down the threatening masses. On they came, sweeping the opposing pickets before them like chaff before the wind. Pressing towards the base of the ridge the cannonade abates, but the subsidence of its thunders brings out the sharp roll of the deadly musketry. Sherman’s men press on in immense force, and, while their comrades roll down the steep slope of the ascent in agonized life or in mutilated death before the rifles that ring from the breastworks in their front, they still struggle upward and onward. After an hour of this mortal struggle the survivors quail, retire, and finally rush to the rear for another respite of troubled life. Hardee has hurled back a most determined attack with terrible slaughter.

“Grant’s plan of battle contemplated the destruction of Bragg’s army by overwhelming his right. Undaunted by one bloody repulse, he ordered Sherman to renew the attack. Again the deep ranks and the solid reserves of the assailants come within range of the gallant fellows who hold the extreme right of Missionary Ridge, the division of that cool soldier General Cleburne. The artillery having done its work upon the living masses that

move towards the base of the ridge, the musketry of Cleburne's squirrel-shooters spirits hundreds of unerring bullets to their 'billets' in Federal hearts. Upward and onward come the assailants, even though the ascent has by this time become at some places slippery with their comrades' blood. Panting for breath, they charge at some points to the crest, to drop down dead or dying under Cleburne's rest-shooting rifle practice. Having reached the top at one place, they rushed at Sweet's battery on the extreme right, but the 5th Regiment of Arkansas sprang forward with a shout of fury to the support of the 2nd Regiment of Tennessee, and with a terrible volley at short range struck down the assailing ranks as though they had been blasted by lightning. Cleburne's and Cheatain's divisions were again triumphant, and again, therefore, did Hardee save the army by hurling back so terribly the immense masses by which Grant had sought to crush its right.

"After Sherman's bloody repulse upon the right the Federalists were massed for a general movement upon the left centre. In deep line they advanced with a front of two miles in length. A strong body of skirmishers swept on before them, and driving the Confederate pickets into rifle-pits at the foot of the Ridge, swarmed over the pits followed closely by the main attack. Artillery tore gaps through them, and musketry ran cuts through their serried ranks, but still they struggle forward under overwhelming supports, until, at last, they made an impression at a weak point on the left of the centre of the Confederate position. Reynolds's brigade of Hindman's division, commanded by General Patton Anderson, overborne by numbers at the time, gave way and admitted the masses in its front to pass through it like a torrent. Pressing that advantage vigorously, the Federalists rushed into the trenches and doubled back the broken lines to the right and to the left."

General Hardee repelled the attack of the Federals on his position, and during the night General Bragg ordered the Confederate army to retreat, and they fell back on Ringold, which they reached on the evening of the 26th. The enemy attempted to pursue, but were so roughly handled that they were compelled to retire with severe loss, and the Confederates encamped in the vicinity of Dalton without further disturbance, while the Federals fell back on Chattanooga.

Much dissatisfaction was felt in the South at this unfortunate issue of a campaign which had opened so successfully; and as General Bragg was personally unpopular with the army he was superseded by General Hardee.

The Federal army, under General Burnside, was forced to retreat into its intrenchments at Knoxville, where it was for some weeks confronted and threatened by the forces under General Longstreet, who, however, afterwards withdrew, and no further engagement took place this year.



On the 9th of December, President Lincoln sent his annual Message to Congress. It was a very long document, but we need only give the following extracts:—

“Fellow-citizens of the Senate and House of Representatives,—Another year of health and of sufficiently abundant harvests has passed. For these, and especially for the improved condition of our national affairs, our renewed and profoundest gratitude is due. We remain in peace and friendship with foreign powers. The efforts of disloyal citizens of the United States to involve us in foreign wars to aid an inexcusable insurrection have been unavailing. Her Britannic Majesty's Government, as was justly expected, have exercised their authority to prevent the departure of new hostile expeditions from British ports. The Emperor of France has, by a like proceeding, promptly vindicated the neutrality which he proclaimed at the beginning of the contest. Questions of great intricacy and importance have arisen out of the blockade and other belligerent operations between the Government and several of the maritime Powers, but they have been discussed, and as far as was possible accommodated, in a spirit of frankness, justice, and natural good will.

“It is especially gratifying that our prize-courts, by the impartiality of their adjudications, have commanded the respect and confidence of maritime Powers.

“The supplemental treaty between the United States and Great Britain for the suppression of the African slave trade, made on the 17th day of February last, has been duly ratified and carried into execution. It is believed that, so far as American ports and American citizens are concerned, that inhuman and odious traffic has been brought to an end. . . .

“It is easy to see that under the sharp discipline of civil war the nation is beginning a new life. This noble effort demands the aid and ought to receive the attention and support of the Government. Injuries unforeseen by the Government and unintended may in some cases have been inflicted on the subjects or citizens of foreign countries, both at sea and on land, by persons in the service of the United States. As this Government expects redress from other Powers when similar injuries are inflicted by persons in their service upon citizens of the United States, we must be prepared to do justice to foreigners. If the existing judicial tribunals are inadequate to this purpose, a special court may be authorized, with power to hear and decide such claims of the character referred to as may have arisen under treaties and the public law. Conventions for adjusting the claims by joint commission have been proposed to some Governments, but no definite answer to the proposition has yet been received from any. . . .

“The receipts during the year from all sources, including loans and the balance in the Treasury at its commencement, were \$901,125,674 86, and the aggregate disbursements \$895,796,630 65, leaving a balance on the 1st July, 1863, of \$5,329,044 21.

"Of the receipts, there were received from customs \$69,059,642 40; from internal revenue, \$37,640,787 95; from direct tax, \$1,485,103 61; from lands, \$167,617 17; from miscellaneous sources, \$3,046,615 35; and from loans, \$776,682,361 57, making the aggregate \$901,125,674 86. Of the disbursements, there were for the civil service, \$23,253,922 08; for pensions and Indians, \$4,216,526 59; for interest on public debt, \$24,729,846 51; for the War Department, \$599,298,600 83; for the Navy Department, \$63,211,105 27; for payment of funded and temporary debt, \$181,086,635 07; making the aggregate \$895,796,630 65, and leaving the balance of \$5,329,044 21.

"But the payments of the funded and temporary debt, having been made from monies borrowed during the year, must be regarded as merely nominal payments, and the monies borrowed to make them as merely nominal receipts; and their amount, \$181,086,635 07, should therefore be deducted both from receipts and disbursements.

"This being done, there remains as actual receipts \$720,039,039 79, and actual disbursements \$714,709,995 58, leaving the balance as already stated.

"The naval force of the United States consists at this time of 588 vessels, completed and in course of completion, and of these 75 are iron-clad, or armoured steamers. The events of the war give an increased interest and importance to the navy, which will probably extend beyond the war itself. The armoured vessels in our navy completed and in service, or which are under contract and approaching completion, are believed to exceed in number those of any other Power; but while these may be relied upon for harbour defence and coast service, others of greater strength and capacity will be necessary for cruising purposes and to maintain our rightful position on the ocean. The change that has taken place in naval vessels and naval warfare since the introduction of steam as a motive power for ships of war demands either a corresponding change in some of our existing navy-yards, or the establishment of new ones for the construction and necessary repair of modern naval vessels. No inconsiderable embarrassment, delay, and public injury have been experienced from the want of such Governmental establishments. . . .

"The preliminary Emancipation Proclamation, issued in September, was running its assigned period to the beginning of the new year. A month later the final proclamation came, including the announcement that coloured men of suitable condition would be received in the war service. The policy of emancipation and of employing black soldiers gave to the future a new aspect, about which hope, and fear, and doubt contended in uncertain conflict. According to our political system, as a matter of civil administration, the Government had no lawful power to effect emancipation in any State, and for a long time it had been hoped that the rebellion could be suppressed without resorting to it as a military

measure. It was all the while deemed possible that the necessity for it might come, and that if it should, the crisis of the contest would then be presented. It came, and, as was anticipated, was followed by dark and doubtful days.

“Eleven months having now passed, we are permitted to take another review. The rebel borders are pressed still further back, and by the complete opening of the Mississippi the country dominated by the rebellion is divided into distinct parts, with no practical communication between them. Tennessee and Arkansas have been substantially cleared of insurgent control, and influential citizens in each, owners of slaves, and advocates of slavery at the beginning of the rebellion, now declare openly for emancipation in their respective States. Of those States not included in the Emancipation Proclamation, Maryland and Missouri, neither of which, three years ago, would tolerate any restraint upon the extension of slavery into new territories, only dispute now as to the best mode of removing it within their own limits.

“Of those who were slaves at the beginning of the rebellion, full 100,000 are now in the United States' military service, about one-half of which number actually bear arms in the ranks, thus giving the double advantage of taking so much labour from the insurgent cause, and supplying the places which otherwise must be filled with so many white men. So far as tested, it is difficult to say they are not as good soldiers as any. No servile insurrection or tendency to violence or cruelty has marked the measures of emancipation and arming the blacks. These measures have been much discussed in foreign countries, and, contemporary with such discussion, the tone of public sentiment there is much improved. At home the same measures have been fully discussed, supported, criticized, and denounced; and the annual elections following are highly encouraging to those whose official duty it is to bear the country through this great trial. Thus we have the new reckoning. The crisis which threatened to divide the friends of the Union is past. Looking now to the present and future, and with a reference to a resumption of the national authority in the States wherein that authority has been suspended, I have thought fit to issue a proclamation, a copy of which is herewith transmitted. On examination of this proclamation it will appear (as is believed) that nothing is attempted beyond what is amply justified by the Constitution. True, the form of an oath is given, but no man is coerced to take it. The man is only promised a pardon in case he voluntarily takes the oath. The Constitution authorizes the Executive to grant or withhold the pardon at his own absolute discretion, and this includes the power to grant on terms, as is fully established by judicial and other authorities. It is also proffered that if in any of the States named a State Government shall be recognized and guaranteed by the United States, and if under it the State shall, on the constitutional conditions, be protected against invasion and domestic violence,

the constitutional obligation of the United States to guarantee to every State in the Union a republican form of government, and to protect the State in the cases stated, is explicit and full. But why tender the benefits of this provision only to a State Government set up in this particular way? This section of the Constitution contemplates a case wherein the element within a State favourable to republican government in the Union may be too feeble for an opposite and hostile element, external or even within the State, and such are precisely the cases with which we are now dealing.

“An attempt to guarantee and protect a revived State Government, constructed in whole or in preponderating part from the very element against whose hostility and violence it is to be protected, is simply absurd. There must be a test by which to separate the opposing elements, so as to build only from the sound; and that test is a sufficiently liberal one which accepts as sound whoever will make a sworn recantation of his former movements.

“But if it be proper to require, as a test of admission to the political body, an oath of allegiance to the United States and to the Union under it, why not also to the laws and proclamations in regard to slavery?

“Those laws and proclamations were enacted and put forth for the purpose of aiding in the suppression of the rebellion. To give them their fullest effect, there had to be a pledge for their maintenance. In my judgment they have aided, and will further aid, the cause for which they were intended.

“To now abandon them would be not only to relinquish a lever of power, but would also be a cruel and astounding breach of faith.

“I may add, at this point, that while I remain in my present position I shall not attempt to retract or modify the Emancipation Proclamation, nor shall I return to slavery any person who is free by the terms of that proclamation, or by any of the Acts of Congress.

“For these and other reasons it is thought best that support of these measures shall be included in the oath, and it is believed that the Executive may lawfully claim it in return for pardon and restoration of forfeited rights, which he has a clear constitutional power to withhold altogether, or grant upon the terms he shall deem wisest for the public interest. It should be observed, also, that this part of the oath is subject to the modifying and abrogating power of legislation and supreme judicial decision. . . .

“In the midst of other cares, however important, we must not lose sight of the fact that the war power is still our main reliance. To that power alone can we look for a time to give confidence to the people in the contested regions that the insurgent power will not again overrun them. Until that confidence shall be



established, little can be done any where for what is called reconstruction.

“Hence, our chiefest care must still be directed to the army and navy, which have thus far borne their harder part so nobly and well; and it may be esteemed fortunate in giving the greatest efficiency to these indispensable arms we do honourably recognize the gallant men, from commander to sentinel, who compose them, and to whom more than to others the world must stand indebted for the home of freedom disenthralled, regenerated, enlarged, and perpetuated.”

To the Message was appended the proclamation therein referred to, which provided as follows:—

“I, Abraham Lincoln, President of the United States, do proclaim, declare, and make known to all persons who have, directly or by implication, participated in the existing rebellion, except as hereinafter excepted, that a full pardon is hereby granted to them, and each of them, with restoration of all rights of property, except as to slaves, and in property cases where the rights of third parties shall have intervened, and upon the condition that every such person shall take and subscribe an oath, and thenceforward keep and maintain said oath inviolate, and which oath shall be registered for permanent preservation, and shall be of the tenor and effect following, to wit:—

“‘I, —, do solemnly swear, in presence of Almighty God, that I will henceforth faithfully support, protect, and defend the Constitution of the United States and the Union of the States thereunder, and that I will in like manner abide by and faithfully support all Acts of Congress passed during the existing rebellion with reference to slaves, so long and so far as not repealed, modified, or held void by Congress, or by decision of the Supreme Court; and that I will, in like manner, abide by and faithfully support all proclamations of the President made during the existing rebellion having reference to slaves, so long and so far as not modified or declared void by decision of the Supreme Court. So help me God.’

“The persons excepted from the benefits of the foregoing provisions are all who are or shall have been civil or diplomatic officers or agents of the so-called Confederate Government; all who have left judicial stations under the United States to aid the rebellion; all who are or shall have been military or naval officers of the said so-called Confederate Government above the rank of colonel in the army, or lieutenant in the navy; all who left seats in the United States’ Congress to aid the rebellion; all who resigned commissions in the army or navy of the United States and afterwards aided the rebellion; and all who have engaged in any way in treating coloured persons, or white persons in charge of such, otherwise than lawfully as prisoners of war, and which persons may have been found in the United States’ service as soldiers, seamen, or in any other capacity; and I do further

proclaim, declare, and make known that whenever in any of the States of Arkansas, Texas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, Florida, South Carolina and North Carolina, a number of persons, not less than one-tenth in number of the votes cast in such States at the Presidential Election of the year of our Lord 1860, each having taken the oath aforesaid, and not having since violated it, and being a qualified voter according to the election law of the State existing immediately before the so-called act of secession, and excluding all others, shall re-establish a State Government which shall be republican, and in nowise contravening such oath, such shall be recognized as the true Government of the State, and the State shall receive thereunder the benefit of the constitutional provision which declares that:—

“The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion on application of the Legislature, or of the Executive, when the Legislature cannot be convened, against domestic violence.”

“And I do further proclaim, declare, and make known that any provision which may be adopted by such State Government in relation to the freed people of such State which shall recognize and declare their permanent freedom, provide for their education, and which yet may be consistent, as a temporary arrangement, with their present condition as a labouring, landless, and houseless class, will not be objected to by the national Executive.”

In his Report of the War Department Mr. Stanton stated that the conscription enforced in twelve States had yielded 50,000 soldiers, and \$10,000,000 as the amount paid for substitutes. And in the Report of the Navy Department Mr. Welles said that the blockade had been kept up on a sea-board 3549 miles in length, and that 1049 vessels had been captured in attempting to run the blockade.

About the same time President Davis sent his Annual Message to the Confederate Congress. After alluding in a manly tone to the reverses sustained by their arms, by the losses of Vicksburg and Port Hudson, he said:—

“The determined and successful defence of Charleston against the joint land and naval operations of the enemy afforded an inspiring example of our ability to repel the attacks even of the iron-clad fleet, on which they chiefly rely, while on the Northern frontier our success was still more marked.

“The able commander who conducted the campaign in Virginia determined to meet the threatened advance on Richmond—for which the enemy had made long and costly preparations—by forcing their armies to cross the Potomac and fight in defence of their own capital and homes. Transferring the battle-field to their own soil, he succeeded in compelling their rapid retreat from Virginia, and in the hard-fought battle of Gettysburg inflicted such severity of punishment as disabled them from early renewal of the

campaign, as originally projected. Unfortunately, the communications on which our General relied for receiving his supplies of munitions were interrupted by extraordinary floods, which so swelled the Potomac as to render impassable the fords by which his advance had been made, and he was thus forced to a withdrawal, which was conducted with deliberation, after securing large trains of captured supplies, and with a constant but unaccepted tender of battle. On more than one occasion the enemy has since made demonstrations of a purpose to advance, invariably followed by a precipitate retreat to intrenched lines on the approach of our forces.

“The effective check thus opposed to the advance of invaders at all points was such as to afford hope of their early expulsion from portions of the territory previously occupied by them, when the country was painfully surprised by the intelligence that the officer in command of Cumberland Gap had surrendered that important and easily defensible pass without firing a shot, upon the summons of a force still believed to have been inadequate to its reduction, and when reinforcements were within supporting distance and had been ordered to his aid. The entire garrison, including the commander, being still held as prisoners by the enemy, I am unable to suggest any explanation of this disaster, which laid open Eastern Tennessee and South-western Virginia to hostile operations, and broke the line of communication between the seat of government and Middle Tennessee. This easy success of the enemy was followed by an advance of General Rosencrans into Georgia, and our army evacuated Chattanooga and availed itself of the opportunity thus afforded of winning on the field of Chickamauga one of the most brilliant and decisive victories of the war. The signal defeat of General Rosencrans was followed by his retreat into Chattanooga, where his imperilled position had the immediate effect of relieving the pressure of the invasion at other points, forcing the concentration, for his relief, of large bodies of troops withdrawn from the armies in the Mississippi Valley and in Northern Virginia. The combined forces thus accumulated against us in Tennessee so greatly outnumbered our army as to encourage the enemy to attack. After a long and severe battle, in which great carnage was inflicted on him, some of our troops inexplicably abandoned positions of great strength, and by a disorderly retreat compelled the commander to withdraw the forces elsewhere successful, and finally to retire with his whole army to a position some twenty or thirty miles to the rear.”

The President complained with some bitterness of what he characterized as the “unfriendly” conduct of the neutral nations of Europe, saying:—

“I regret to inform you that there has been no improvement in the state of our relations with foreign countries since my Message in January last. On the contrary, there has been a still greater divergence in the conduct of European nations from that practical

impartiality which alone deserves the name of neutrality, and their action, in some cases, has assumed a character positively unfriendly.

"You have heretofore been informed that, by common understanding, the initiative in all action touching the contest on this continent had been left by foreign powers to the two great maritime nations of Western Europe, and that the governments of these two nations had agreed to take no measures without previous concert. The result of these arrangements has therefore placed it in the power of either France or England to obstruct at pleasure the recognition to which the Confederacy is justly entitled, or even to prolong the continuance of hostilities on this side of the Atlantic, if the policy of either could be promoted by the postponement of peace. Each, too, thus became possessed of great influence in so shaping the general exercise of neutral rights in Europe, as to render them subservient to the purpose of aiding one of the belligerents, to the detriment of the other. I referred, at your last session, to some of the leading points in the course pursued by professed neutrals, which betrayed a partisan leaning to the side of our enemies; but events have since occurred which induce me to renew the subject in greater detail than was then deemed necessary."

The President then, at some length, reviewed the conduct of the British Government with regard to the blockade, and added:—

"It is not in my power to apprise you to what extent the Government of France shares the views so unreservedly avowed by that of Great Britain, no published correspondence of the French Government on the subject having been received. No public protest nor opposition, however, has been made by His Imperial Majesty against the prohibition to trade with us, imposed on French citizens by the paper blockade of the United States, although I have reason to believe that an unsuccessful attempt was made on his part to secure the assent of the British Government to a course of action more consonant with the dictates of public law and with the demands of justice towards us."

He then went on:—

"The partiality of Her Majesty's Government in favour of our enemies has been further evinced in the marked difference of its conduct on the subject of the purchase of supplies by the two belligerents. The difference has been conspicuous since the very commencement of the war. As early as the 1st of May, 1861, the British Minister in Washington was informed by the Secretary of State of the United States that he had sent agents to England, and that others would go to France, to purchase arms, and this fact was communicated to the British Foreign Office, which interposed no objection. Yet in October of the same year Earl Russell entertained the complaint of the United States Minister in London, that the Confederate States were importing contraband of war from the island of Nassau, directed inquiry into the matter, and obtained a report from the authorities of the island denying the allegations,



which report was enclosed to Mr. Adams, and received by him as satisfactory evidence to dissipate 'the suspicion naturally thrown upon the authorities of Nassau by that unwarrantable act.' So, too, when the Confederate Government purchased in Great Britain, as a neutral country (and with strict observance both of the law of nations and the municipal law of Great Britain), vessels which were subsequently armed and commissioned as vessels of war, after they had been far removed from English waters, the British Government, in violation of its own laws and in deference to the importunate demands of the United States, made an ineffectual attempt to seize one vessel, and did actually seize and detain another which touched at the island of Nassau, on her way to a Confederate port, and subjected her to an unfounded prosecution at the very time when cargoes of munitions of war were being openly shipped from British ports to New York to be used in warfare against us. Even now the public journals bring intelligence that the British Government has ordered the seizure, in a British port, of two vessels, on the suspicion that they may have been sold to this Government, and that they may be hereafter armed and equipped in our service, while British subjects are engaged in Ireland by tens of thousands to proceed to the United States for warfare against the Confederacy, in defiance both of the law of nations and of the express terms of the British statutes, and are transported in British ships, without an effort at concealment, to the ports of the United States, there to be armed with rifles imported from Great Britain, and to be employed against our people in a war for conquest. No Royal prerogative is invoked, no executive interference is interposed against this flagrant breach of municipal and international law on the part of our enemies, while strained constructions are placed on existing statutes, new enactments proposed, and questionable expedients devised, for precluding the possibility of purchase by this Government of vessels that are useless for belligerent purposes, unless hereafter armed and equipped outside of the neutral jurisdiction of Great Britain. . . .

"The events of the last year have produced important changes in the condition of our southern neighbour. The occupation of the capital of Mexico by the French army, and the establishment of a provisional government, followed by a radical change in the constitution of the country, have excited lively interest. Although preferring our own government and institutions to those of other countries, we can have no disposition to contest the exercise by them of the same right of self-government which we assert for ourselves. If the Mexican people prefer a monarchy to a republic, it is our plain duty cheerfully to acquiesce in their decision, and to evince a sincere and friendly interest in their prosperity. If, however, the Mexicans prefer maintaining their former institutions, we have no reason to apprehend any obstacle to the free exercise of their choice. The Emperor of the French has solemnly disclaimed any purpose to impose on Mexico a form of government

not acceptable to the nation; and the eminent personage to whom the throne has been tendered declines its acceptance unless the offer be sanctioned by the suffrages of the people. In either event, therefore, we may confidently expect the continuance of those peaceful relations which have been maintained on the frontier, and even a large development of the commerce already existing to the mutual advantage of the two countries. . . .

"The state of the public finances is such as to demand your earliest and most earnest attention. I need hardly say that a prompt and efficacious remedy for the present condition of the currency is necessary to the successful performance of the functions of Government. Fortunately, the resources of our country are so ample, and the spirit of our people so devoted to its cause, that they are ready to make any necessary contribution. Relief is thus entirely within our reach if we have the wisdom to legislate in such manner as to render available the means at our disposal.

"At the commencement of the war we were far from anticipating the magnitude and duration of the struggle in which we were engaged. The most sagacious foresight could not have predicted that the passions of the Northern people would lead them blindly to the sacrifice of life, treasure, and liberty, in so vain a hope as that of subjugating thirteen independent States, inhabited by many millions of people, whose birthright of freedom is dearer to them than life. A long exemption from direct taxation by the general Government had created an aversion to its raising revenue by any other means than by duties on imports, and it was supposed that these duties would be ample for current peace expenditures, while the means for conducting the war could be raised almost exclusively by the use of the public credit."

The Message then recapitulated the various measures of taxation that had been taken to raise the requisite revenue, and pointed out the causes and manner of their failure. "The issue of treasury notes has been increased until the currency in circulation amounts to more than 600 millions of dollars, or more than three-fold the amount required by the business of the country." The Message proceeded:—

"Whenever it shall be possible to execute our duty in all its parts, we must do so in exact compliance with the whole letter and spirit of the Constitution. Until that period shall arrive, we must execute so much of it as our condition renders practicable. Whenever the withdrawal of the enemy shall place it in our power to make a census and apportionment of direct taxes, any other mode of levying them will be contrary to the will of the lawgiver, and incompatible with our obligation to obey that will; until that period, the alternative left is to obey the paramount precept, and to execute it according to the only other rule provided, which is to 'make the tax uniform throughout the Confederate States.'"

The President concluded thus:—

"The hope last year entertained of an early termination of the

war has not been realized. Could carnage have satisfied the appetite of our enemy for the destruction of human life, or grief have appeased their wanton desire to inflict human suffering, there has been bloodshed enough on both sides, and two lands have been sufficiently darkened by the weeds of mourning to induce a disposition for peace.

"If unanimity in a people could dispel delusion, it has been displayed too unmistakeably not to have silenced the pretence that the Southern States were merely disturbed by a factious insurrection, and it must long since have been admitted that they were but exercising their reserved right to modify their own Government in such manner as would best secure their own happiness. But these considerations have been powerless to allay the unchristian hate of those who, long accustomed to draw large profits from a union with us, cannot control the rage excited by the conviction that they have, by their own folly, destroyed the richest sources of their prosperity. They refuse even to listen to proposals for the only peace possible between us—a peace which, recognizing the impassable gulf which divides us, may leave the two peoples separately to recover from the injuries inflicted on both by the causeless war now waged against us. Having begun the war in direct violation of their constitution, which forbade the attempt to coerce a State, they have been hardened by crime, until they no longer attempt to veil their purpose to destroy the institutions and subvert the sovereignty and independence of these States. We now know that the only reliable hope for peace is in the vigour of our resistance, as the cessation of their hostility is only to be expected from the pressure of their necessities.

"The patriotism of the people has proved equal to every sacrifice demanded by their country's need. We have been united as a people never were united under like circumstances before. God has blessed us with success disproportionate to our means, and, under His divine favour, our labours must at last be crowned with the reward due to men who have given all they possessed to the righteous defence of their inalienable rights—their homes and their altars."

The close of the year, therefore, found the Confederates as resolute as ever to assert and achieve their independence. Their reverses only nerved them to fresh exertions, and to a still sterner determination not to yield in submission to the North. But the North appears to be equally resolved to pursue the contest to the bitter end; and the reconstruction of the Union is the object at which it perseveringly and unflinchingly aims. We believe that it will be disappointed, and that the result of the struggle will be the final separation of the United States into two great Republics, and the admission of the Confederate States into the family of nations.

# RETROSPECT

OF

## LITERATURE, ART, AND SCIENCE, IN 1863.

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It is our object to present in the following pages an abstract and brief chronicle of Literature, Art, and Science during the year 1863, and our limits being narrow, only the most salient objects can find a place in our sketch. Literary production, like most other achievements of man in our days, has assumed gigantic proportions, and the tribe of critics and reviewers, whose business it is to watch the ever-rolling torrent of books issuing from the press, and to keep the public informed of what sort of matters the great stream brings down, have enough to do to fulfil their task with any thing like completeness. The artists are not behind the scribes in activity of production, and it is a puzzle to know what becomes of the mass of pictures which are yearly exhibited. The labours of science too are ceaseless, and are perpetually rewarded by the discovery of new wonders. All these things are recorded in detail in the periodical publications of the day, both those of a miscellaneous character and those which are devoted to special branches of knowledge, and these records are treasured up in many a library where they will be accessible to the curious of future generations. Our business now is but to skim lightly over the performances of the past year, fixing, if we can, upon those points by which it is most likely to be remembered.

Literature takes the first place, and we find from the "Publisher's Circular" that the number of new publications issued from the press during 1863 was 3878, falling short, but to a trifling extent only, of the issue of 1862, which was 3913. These numbers include the most insignificant as well as the most costly publications, the penny pamphlet and the gorgeously illustrated work whose price is counted in guineas. A large portion of this mass of printing must necessarily be ephemeral, and destined to be utterly forgotten and mostly destroyed when it has answered the temporary purpose for which it was designed.

Works of a scientific character may have before them a career of usefulness,



longer or shorter, but even these will have to make way at length for others more advanced. A few works of artistic construction, historical, romantic, or poetical, may be destined for immortality, or something approaching to it. But as it is not our business to prophesy, but to record, we shall content ourselves with endeavouring to mark out a few which, from the eminence of their writers or the novelty of their contents, have chiefly attracted attention, and which may be considered as characterizing the year 1863. We shall extract a few passages from the criticisms of the day, rather for the sake of recording the impression produced by these works upon contemporaries, than of defining the value which the mature judgment of posterity may hereafter place upon them.

Mr. Kinglake's "Invasion of the Crimea" was perhaps the most notable book of the year 1863, having rapidly passed through four editions. This work, which was known to be in preparation by the author of "Eöthen," had long been expected with anxiety, and it was eagerly read when it appeared. The book was soon the object of fierce attack from reviewers. The sarcastic tone which pervades it naturally roused hostility, and certain peculiarities of treatment applied to persons who were not favourites of the author were generally voted to be in bad taste. The public expressed its own opinion of the work in its own way, namely, by diligent perusal and incessant demand for copies at the reading libraries. The fourth edition contains no change in the original text, but some notes are added by way of rectification, the effect being to show how small an amount of correction the author has considered necessary, after running the gauntlet of hostile criticism. The materials on which this work is based are summed up as follows by a reviewer: "Ever since 1856 Mr. Kinglake has had in his hands the whole mass of the papers which Lord Raglan had with him at the time of his death, including the leading military reports of the officers serving under him, his official and private correspondence with sovereigns, ambassadors, ministers, generals, admirals, public functionaries, wild adventurers, and faithful friends. In addition to the knowledge derived from all this invaluable store of material, Mr. Kinglake has been greatly aided by the conversation and correspondence of English statesmen, and eminent soldiers and sailors, on the business of the war; men honourably distinguished by that noble freedom of speech which rests on the assumption 'that what is best for the repute of England is the truth.' He has further been aided by information obtained from Russian sources, information tending to 'uplift the repute of the far-famed Russian infantry;' and if we object that the authorities of the French war department have not availed themselves of Mr. Kinglake's overtures, we must not omit to give the due credit to every French commander whom he addressed, for the courteous, clear, and abundant answer accorded to every inquiry. Thus prepared and provided, the author of 'Eöthen' has, in part, written a 'History of the Invasion of the Crimea,'—a history which is destined, we think, to take its place on the book-shelf as a classical or permanent work, provided that the startling disclosures which it contains be ultimately accepted as true, and the interpreting commentary which it supplies finally adjudged to be philosophically sound. Of the literary merit of the book there can hardly be two opinions, though whether the sarcastic spirit which animates its pages is the fitting spirit in which such a book should be written, will perhaps be a question that a serious mind here and there will put to itself. The style of composition, if occasionally diffuse or tending to monotony, is characteristically fine; the language is lucid and pure, and, if we may so say, rather sculpturesque than picturesque. There is a sort of marble placidity in Mr. Kinglake's present-

ments of things or persons that shows an artist-like power of conception as well as workmanship. Sometimes, as in the description of the battle of the Alma, the multiplicity of detail, or the change of the point of view in the recital, may weaken the effect, or impair the integrity of impression; but, in general, the execution is that of a master in the art of letters."

Mr. Kinglake's unceremonious treatment of the great politicians and actors of the time has lent to the book an element of sensation which operates strongly for the moment. The Emperor of the French is handled in the severest manner, and with a warmth of indignation which is perhaps no longer shared by the English public. Some of the facts stated in reference to the conduct of British statesmen are so startling that much scepticism has prevailed as to their accuracy. "Discussion and careful rigorous examination must precede the acceptance of some of his revelations, and perhaps many of his conclusions, for his 'History' is in great part an indictment of the ministers and people of England, as well as of the legitimate despot of Russia, or the usurping tyrant of France, the evil providence who, for his own ambitious purposes, favoured the war, contrived the alliance, imposed his own judgment on a British Cabinet, seduced the powerful volition of 'the lustiest man of those days' in England, and made our peaceful conservative nation the servile and unconscious instrument of his own astute and unprincipled ambition."

The tenth volume of the Duke of Wellington's "Supplementary Despatches, Correspondence and Memoranda," is one of great importance as containing documents relating to the transactions of Waterloo, the campaign in France, and the capitulation of Paris. Among the correspondents of the Duke are Lord Castlereagh, Lord Bathurst, Sir Charles Stewart, Sir H. Torrens, the Comte de Lally Tollendal, the Prince of Orange, the Duke of Orleans, the Duke of Otranto, and the Prince Regent. The volume contains two memoranda of the Duke, one on the plan of the battle of Waterloo, written in October, 1836, and one on the same battle, written in September, 1842, after the Duke had read the statements of General Clausewitz. "Without the aid of this work," says a notice, "it may be regarded as impossible to understand the campaign of 1815, and, above all, the battle of Waterloo." "In the despatches, letters and memoranda brought together, and arranged with remarkable care and ability by the present Duke of Wellington, we possess one of the most extraordinary pictures ever presented to the public for the use of historians."

"The Life and Times of St. Bernard, Abbot of Clairvaux," by J. C. Morison, takes rank as a work of accurate research and artistic execution. "It has all those merits which flow from a complete study of the original sources of information. The reader has the rare satisfaction of feeling at every page that he is brought face to face with the evidence of the times themselves, and that he is nowhere deluded by second-hand theories. Indeed, were it possible to despatch a special correspondent seven hundred years backward in the stream of time as easily as he can be sent as many thousands across the intervals of space, such a life as this of St. Bernard is what we might expect at his hands." "As an animated panorama of the first half of the twelfth century, this life of St. Bernard has few if any equals. The laborious study which the author has devoted to his subject has left no trace on his style, which is free, animated, and flowing, and carries the reader pleasantly along without calling attention to itself. The numerous translations from St. Bernard's hortatory works are admirably done, and are most valuable, giving as they do the compass and tendency of his mind."

The second volume of "The Constitutional History of England, since the Accession of George III., 1760 to 1860," by Mr. Thomas Erskine May, comprises "the history of party, of the press and liberty of opinion, of liberty of the subject, of the Church and religious liberty, of local government, and of Ireland and the British dependencies," during the period in question. Of this important publication a critic says, "The present volume is no less interesting than the first. The history of parties is traced with a copiousness of knowledge, and a clearness of statement, which, notwithstanding that the subject has been much canvassed of late years, will be admitted by all candid students of our history to supply much that was before wanting in our information, and to define much that was before indistinct. . . . In a short concluding chapter, Mr. Erskine May takes a rapid view of the progress of general legislation during the past century, and of the social condition of the people, in which survey he perceives but one object which is not of an agreeable character, namely, the formidable and continuous increase of expenditure."

A fourth volume of Mr. Massey's "History of England during the Reign of George the Third," embraces the period from 1793 to 1802, while Mr. John George Phillimore has commenced the history of the same reign, and has published a volume which has already attracted attention for an unusually bold style of treatment.

Canon (now Dean) Stanley's "Lectures on the History of the Jewish Church, Part I.," have found general favour, as well from the popular interest of the subject as from the excellence of the author's style, and the comparative novelty of treatment. The peculiar interest attaching for the moment to biblical questions has also tended to increase the curiosity with which the volume was read, as containing the views of a leading divine of the day. The work, however, does not seem intended by its author to give any very decided opinions on the critical questions which have lately occupied the minds of men, and here and there an expression occurs showing a willingness to leave open questions which have popularly been considered closed. "Professor Stanley has chosen a subject congenial to his office and adapted to his talents. In its treatment he has shown his usual ability. He has had signal advantages to qualify him for the work. Repeated visits to Palestine have familiarized him with the sacred region. He has written one of the best books on the geography of that land. He has an eye to discern and a pen to pourtray the features of the varied landscapes presented to the traveller by that hallowed country. Accordingly, the work is an able and an interesting one. The author catches the salient points as he proceeds, and sets them before the reader with vividness and vigour. He is evidently at home in his task. His geographical and historical pictures are drawn with the hand of a master. The work may be considered a companion to his 'Sinai and Palestine,' showing equal ability in sketching places, characters, and courts. The strength of the author lies in the admirable method in which he places his varied knowledge before the mind of the reader. It is not often that so great attainments are combined with such skill and beauty in writing. His illustrations are appropriate, his comparisons striking, his style and language excellent. The author is strongest in his knowledge of geography and history. He is as accurate too as he is strong. In these departments,—and they are the main elements of which the work consists,—none need fear to follow him with unwavering confidence, and to accept his statements."

The second, third, and fourth parts of Dr. Colenso's "Pentateuch and Book of Joshua Critically Examined," have, as they successively appeared, called forth an

immense amount of criticism and comment, and hosts of books in refutation of the views advanced. The first part, which appeared in 1862, created, as is well known, great excitement, and vehement expressions of disapproval. In the succeeding parts the author comments in return upon objections raised, and the prefaces to these volumes are probably the parts which are chiefly read, while the more solid details of the critical examination are adapted for the consideration of professed theologians. The history of this work is very peculiar, and whatever opinions may be formed as to the validity of its views, it must always remain an important phenomenon in the annals of the Church. "It is not," says a reviewer, "as a biblical critic of profound learning that Bishop Colenso challenges our consideration. He has appeared before the world in the character of a revolutionary reformer, popularizing those objections to our old-established belief which were well known before to students in their libraries, and insisting on the public demolition and abandonment of certain sacred traditions. In this character he has provoked his opponents, and won the sympathy of his supporters." "In this (third) part of his work Bishop Colenso, both in his preface and in the book itself, strictly maintains his ground. He is no less destructive in his treatment of the Pentateuch than he was at first. The numerous answers which he has read and considered have made no impression on him. But there is something of a change in his attitude towards the institutions and formularies of the Church of England. He maintains, with considerable force of argument, his right to remain a bishop of the Church, notwithstanding his views about the Old Testament. He even contends for the orthodoxy of his belief that our Lord was subject to the ignorance and errors of his time relating to the Scriptures of the Covenant; and therefore that the testimony borne by the recorded sayings of Jesus to the historical truth of the Books of Moses is not conclusive. At the same time, the revolutionary ambition which so startled the public in the first part still shows itself." In the fourth part the first eleven chapters of Genesis are minutely criticized, and the double narrative which they are alleged to contain is analyzed. In the preface "Bishop Colenso propounds those more general views in which the mass of readers can find interest with the least tax upon their patience. Again in this, as in his former prefaces, the Bishop shows wonderful coolness and temper. He seldom resorts to any artifice of recrimination stronger than that of quoting the words of his opponents, and appending to them, within parentheses, a point of exclamation. Whatever may be thought of Bishop Colenso's matter, his manner is certainly deserving of praise."

In the course of the month of November proceedings were commenced against Bishop Colenso, in the Court of the Bishop of Cape Town, upon a charge of heresy contained in this work and another published by Dr. Colenso some years ago. The result of these proceedings, against which Dr. Colenso merely protested as being illegal, was a decree deposing him from his bishopric. The validity of this decree remains to be seen.

The third volume of Dr. Davidson's "Introduction to the Old Testament" brought that work to a conclusion. It is one in which biblical criticism is applied with the freedom which has hitherto been only exercised by German commentators. Dr. Davidson's work, although chiefly founded upon the labours of the German school, contains original views, the author not confining himself to merely reporting the opinions of others. It certainly contains a large mass of learning and information not easily to be obtained elsewhere.

Dean Milman's "History of the Jews," a work which appeared thirty years



ago, and at that time incurred much censure and opposition, was this year republished in three octavo volumes, with not much addition or alteration. The Dean's preface is an important expression of opinion in regard to the theological controversies of the day; and we cannot better illustrate the position which the work is now likely to take than by quoting a passage from it:—"The views adopted by the author in early days he still conscientiously maintains. Those views, more free, it was then thought, and bolder than common, he dares not say irreverent, have been his safeguard during a long and not unreflective life against the difficulties arising out of the philosophical and historical researches of our time; and from such views many, very many, of the best and wisest men whom it has been his blessing to know with greater or less intimacy, have felt relief from pressing doubts, and found that peace which is attainable only through perfect freedom of mind. Others may have the happiness (a happiness he envies not) to close their eyes against, to evade, or to elude their difficulties. Such is not the temper of his mind. With these views he has been able to follow out all the marvellous discoveries of science, and all those marvellous, if less certain, conclusions of historical, ethnological, linguistic criticisms, in the serene confidence that they are utterly irrelevant to the truth of Christianity, to the truth of the Old Testament, as far as its distinct and perpetual authority, and its indubitable meaning."

Towards the close of the year a translation appeared of the celebrated "*Vie de Jesus*," by M. Renan. This work is said to have had a sale of 11,000 on the first day of its appearance, and it rapidly spread throughout the whole of Europe. Perhaps no book of our time has produced a stronger "sensation," to use a word borrowed from France, which has lately become naturalized amongst us. Whether for good or for evil, the "*Vie de Jesus*" must be pronounced to be the great European literary phenomenon of the year 1863. A perfect library of answers has grown up in France. In England a very large sale of the original work took place immediately after its first appearance, and it formed a leading topic in all the reviews and journals. Of a book so well known little need be said in the way of description. Whether it be destined to take a permanent place amongst European classics remains to be seen. The beauty of its style is admitted on all hands; but so far as this country is concerned, it may be said that, although eagerly read, the novel views which it presents of a history with which all are familiar have not found much favour even amongst those who do not reject them with absolute reprobation.

In connexion with the two preceding works, another important biblical publication is to be mentioned, namely, Dr. Smith's "*Dictionary of the Bible*," which has been brought to a conclusion. It is the joint production of nearly seventy scholars, including many high dignitaries of the Church, and clergymen and laymen eminent for their acquaintance with special branches of research. "The scope and object of the work," says the preface, "may be briefly defined. It is a dictionary of the *Bible* and not of *Theology*. It is intended to elucidate the antiquities, biography, geography, and natural history of the Old Testament, New Testament, and Apocrypha; but not to explain systems of theology, or discuss points of controversial divinity. It has seemed, however, necessary, in a Dictionary of the Bible, to give a full account of the book, both as a whole and in its separate parts. Accordingly, articles are inserted not only upon the general subject, such as 'Bible,' 'Apocrypha,' and 'Canons,' and upon the chief ancient versions, as 'Septuagint' and 'Vulgate,' but also upon the separate

books. These articles are naturally some of the most important in the work, and occupy considerable space; as will be seen by referring to 'Genesis,' 'Isaiah,' and 'Job.' " "No other dictionary has yet attempted to give a complete list of the proper names occurring in the Old and New Testaments, to say nothing of those in the Apocrypha." In a work proceeding from the pens of so many writers diversity of views necessarily appears, and the whole represents the motley state of transition in which the mind of the educated public at present hangs in relation to vexed questions of theology. It marks clearly the large amount of attention which is now bestowed on biblical research, and its utility in bringing together in a most accessible form an immense mass of materials for the systematic pursuit of this study cannot be doubted. The work appears destined to be for a long time an acknowledged standard of reference on all points of biblical criticism.

A second volume of Mendelssohn's Correspondence, translated by Lady Wallace, is a charming sequel to the first, published in 1862. It is devoted, however, more to musical matters than its predecessor; and the opinions of Mendelssohn upon subjects connected with his art have the highest interest for every musician. Apart from this, there is much in the present volume of the same attractive and love-compelling character which distinguished the first. The letters of Mendelssohn justify completely the instinct which made him when alive the idol of the English public, and the affection which still clings to his memory.

The "Life of William Blake," the painter, by the late Alexander Gilchrist, barrister-at-law, is an addition to biographical literature of some importance. The general public certainly knows very little either of Blake or his works, which are scarce and expensive. Mr. Gilchrist's volumes contain impressions from some of the original plates engraved by Blake, and twenty-one photo-lithographs from his designs in illustration of the book of Job. The contemporaries of this extraordinary man accounted him insane; and his wonderfully inventive genius seems indeed to have been ever at least upon the border of insanity. However, he passed a long life of unwearying industry, revered almost as one inspired by a few friends, and leaving behind him a number of poetical works, writings upon art, &c., and above all, a mass of designs illustrative of various works, such as Young's Night Thoughts, Blair's Grave, &c., upon which his fame rests. A detailed account of this singular, but highly-gifted man, and his works, was a desideratum which Mr. Gilchrist's work supplies.

Another biographical work of interest is Mr. Smiles's volume of "Industrial Biography," devoted to Iron-workers and Tool-makers. "The book," says a reviewer, "is a history of iron in Britain in the most interesting form that such a history can take—a series of the biographies of the men whose brains invented the successive improvements in the treatment of the ore and metal; and the lives are told in the style fitted to them,—plain, vigorous, untricky English, fit for man and boy to read." Many of the lives are perfect romances, those of Maudslay, Nasmyth, and William Fairbairn, for instance; and many real heroes of courage, patience, and perseverance, are brought to light in these pages whose names have been little known except in the limited circles in the midst of which they laboured.

The autobiography of Mr. Charles Knight, the well-known publisher, of which the first volume appeared under the title of "Passages of a Working Life during Half a Century, with a prelude on Early Reminiscences," is another important addition to biographical literature. The name of Mr. Knight is intimately asso-

ciated with the literary progress of the last fifty years, and this volume shows what stores of interesting recollections he has treasured up. Beginning life as proprietor and editor of a Windsor paper in 1812, "he has led, during the fifty years which have since elapsed, as author, publisher, and public man, as central a life, in many respects as rich in various experiences and in recollections of contact or of intimacy with the men and things that History likes to talk about, as that of almost any other man now living." This volume contains over a hundred pages devoted to the most entertaining reminiscences of men and life at the commencement of this century. The rest of the volume contains Mr. Knight's memoirs, from 1812 to 1825.

The "Miscellanies," collected and edited by Earl Stanhope, comprise some literary remains of interest: five letters by William Pitt, two by Edmund Burke, and two memoranda by the Duke of Wellington, a defence of Sir Robert Walpole by Sir Robert Peel, and a series of letters from Lord Macaulay, Mr. Hallam, and Sir Robert Peel, on the alleged sacrifices of human victims to Jupiter in the Roman times.

The lives of Bishop Warburton, Bishop Blomfield, Sir Robert Wilson, Sir James Graham, and the Memoirs of Lady Morgan, have been added to the stock of biographies.

Sir Charles Lyell's book on "The Geological Evidences of the Antiquity of Man" marks a turning-point in public opinion upon the much-vexed question of the duration of the human race upon the earth. Within the last few years the attention of geologists has been called to discoveries of flint implements and other vestiges of humanity in strata containing the bones of extinct animals, such as elephants and rhinoceroses, which had long been supposed to belong to an epoch preceding the appearance of man upon the earth. It is many years since these phenomena have been noticed, and individual geologists have drawn conclusions from them attributing a greater antiquity to man than the six thousand years allowed by school-books. Philosophical caution, however, prevented the great body of scientific men from going over to this opinion, until lately, when Mr. Prestwich, an eminent geologist, and Mr. John Evans, a member of the Society of Antiquaries, examined the gravel and sand pits at Abbeville and Amiens, and the collection of M. Boucher de Perthes, which that far-sighted savant had long been forming of objects discovered in those localities. The result was the expression of a conviction that the flint tools found in these pits had been deposited in the gravel beds at their first formation, and not subsequently introduced, and the conclusion followed that man existed previous to the formation of these strata. Many other prior discoveries of human bones and remains in caves in conjunction with those of elephants, hyænas, and other extinct animals, were now reconsidered, and a large body of facts hitherto slighted as inconclusive was brought into view. Sir Charles Lyell's work reviews the facts and considers their bearing, introducing also a discussion of the Darwinian hypothesis, and a summary of the recent controversy on the relation of the brain of man to that of the quadrumana. The tardiness which geologists have shown to embrace results which now seem so firmly established, and the materials for arriving at which have long been at hand, is a remarkable instance of scientific caution, not to call it a strong prepossession in favour of an assumed theory. The question must now be considered as settled, to the extent that a far greater antiquity must be assigned to man than has hitherto been believed. How much greater that antiquity may be than the indications at present discovered show, remains for further inquiry.

In connexion with the last-named work may be mentioned Professor Huxley's "Evidence as to Man's Place in Nature." The three essays of which this work is composed sum up the facts, which have been of late years the subject of so much lively dispute, relative to the anatomical resemblance between man and the anthropoid apes. The third essay is devoted to a discussion of certain human skulls, now become celebrated in science, the one from the caves of Engis in the valley of the Meuse, the other from the Neanderthal near Düsseldorf. The question of the possible derivation of man, by a slow process of modification and improvement, from a race of apes, has excited more sensation than that of the prolonged duration of man upon the earth. Such views have indeed long ago been suggested, but it is only of late they have been widely canvassed in the scientific world, and great differences of opinion are well known to prevail. The non-scientific public considers itself interested in the matter, and the discussions and controversies which have arisen among the acknowledged leaders of science are watched with attention and anxiety. The state in which the question now rests is thus summarized in a contemporary notice: "Of positive differences in the cerebral conformation of man and the higher apes, there are certainly no traces; there are doubtless differences in the relative proportion of parts, and in the number of convolutions on the surface, but these are differences of degree, and, as our author says, are not so great between man and the apes as between the latter and the lower monkeys. On the whole, then, Professor Huxley is perfectly justified in asserting that the human species stands in closer zoological relationship to the chimpanzee and the gorilla, than the anthropoid apes do to the marmosets and lemurs, which occupy the lower ranks of the quadrumana; and as in this investigation psychological considerations have no weight of themselves, we must, however reluctantly, be content to take the place assigned to us as forming simply a family of the order *Primates*, with the chimpanzee and gorilla as our next of kin. Nevertheless, the gap between humanity in its most degraded physical condition, and the very highest of the apes is so great, that we may well be excused for asking for a demonstration of some of the intermediate grades, before giving an unconditional assent to the Darwinian proposition that man has originated by the progressive development of ape-like ancestors, a notion to which Professor Huxley gives in his adhesion in plain terms. In those fossil remains of man, the skulls and bones from Engis and the Neanderthal, which form the subject of Professor Huxley's third essay, we have but an uncertain evidence; the former might have belonged to an individual of almost any of the existing races of men; whilst the Neanderthal skull, although exhibiting pithecoïd characters, is still admitted by the author to have belonged to a man, and not to an intermediate form."

Of the class of novels known as "sensational," several have appeared during the year, the most notable being Miss Braddon's "Aurora Floyd." This work was naturally brought into comparison with a previous one, by which the authoress had made her reputation, namely, "Lady Audley's Secret," and the voices of the critics seem to preponderate in favour of the latter in point of art and execution, although its predecessor may be considered the more highly seasoned. The "Quarterly," in a severe article on sensation-novels, says, "Though the moral teaching of the story is more questionable than that of its predecessor, and the interest on the whole less sustained, the individual characters are drawn with greater skill." Another critic ("Athenæum") says, "Like 'Lady Audley's Secret,' 'Aurora Floyd' is a work of interest, and the heroine is again a woman who is guilty of bigamy, and who keeps a dark disgraceful secret gnawing at her



heart, when, by speaking one word, the difficulty might have been overcome at any moment. In some ways 'Aurora Floyd' is a superior work to 'Lady Audley's Secret,'—the characters are more natural, and the story more probable." Another writer, more enthusiastic, says, "It is rarely indeed that we find combined, as in 'Aurora Floyd,' such a rush of incidents, such an unchecked, unhalting sweep of plot, with such correct, well-polished phraseology. Since the day when that fragile hand with the massive pen, the hand of Currer Bell, made it an honour to women to write in a strain that would have been deemed strong from the strongest, we have had nothing from the most brilliant lady novelists to equal 'Aurora Floyd.' There is no exaggerated display of erudition and vast research and reading; we are not continually having the fact of her being astonishingly clever and classically learned thrust upon us; and yet we are equally far from feeling her to be inefficient and uncertain on any ground upon which she may please to touch." The dramatic capabilities of the plot of this novel were soon recognized, and pieces embodying it were brought out at several theatres. It even attracted the attention of the manufacturers of drama on the other side of the water, and a piece called "*Le Secret de Miss Aurore*" is recorded as having been produced at Paris. On the whole, "*Aurora Floyd*" may be described as something more than the novel of the season, as being a type of a peculiar kind of art, which, whatever its merits or defects may ultimately be adjudged to be, must have a place in the chronicle of English literature. Later in the year was published "*Eleanor's Victory*," by the same authoress, the story having been carried to a certain point in the serial form. Written for a periodical, and with the grand object of keeping the interest of the reader alive from one number to another perpetually before the writer's eye, the story, though successfully adapted to this purpose, does not seem to have been found an advance upon its predecessors. "*John Marchmont's Legacy*," published in December, seems to be a work with which greater pains has been taken. We adopt the words of a recent critic ("Reader"): "'*John Marchmont's Legacy*' is almost as great an improvement on '*Aurora Floyd*' as that novel was on '*Lady Audley's Secret*.' It is curious, as a mere literary study, to watch how, in each succeeding work, Miss Braddon shakes herself more and more clear of the crudeness and exaggeration which marred the beauty of her earlier writings, and how, without losing power, she is acquiring correctness and delicacy of touch. No honest critic—who did not consider that he had said all that was to be said on the subject when he had described '*Lady Audley's Secret*' as a sensation-novel—could fail to see that the writer had true creative genius. The doubt, which even Miss Braddon's admirers could not disguise from themselves, was whether that genius of hers was accompanied by sufficient power of painstaking labour to produce works of high artistic merit. There are painters every now and then who never dash off a sketch without showing the connoisseur that there is something in them, and who yet never paint a picture that is itself worth possessing. It was possible that Miss Braddon might be in literature what these artists are in painting. Those however who entertained such fears have been agreeably disappointed. Miss Braddon has already taken a high rank among living English novelists, and if her works show as marked an improvement as the one before us, she will rise to a much higher position than that she occupies."

The story of "*Romola*," by George Eliot, the well-known author of "*Adam Bede*," appeared in its complete form in July, having been commenced in the "*Cornhill Magazine*" in the previous year, and continued by monthly instalments. The choice of an Italian subject, by an authoress who had shown a

wonderful mastery over scenes of English life, was the subject of regret at the outset with some readers, whilst others looked with curiosity and hopeful expectation to the opening of a new mine. "Romola" must be considered as an historical novel, and as such it must take a high and permanent place in English literature. We quote a passage from a criticism of the day, as a record of the contemporary impression produced by a book about which readers will doubtless long hereafter continue to form their own opinion. "As an historical novel 'Romola' is very rich; one may even say, very learned. There has been a study of history, topography, and bygone manners and customs in its preparation as extensive and minute as that which a conscientious painter goes through in preparation for an important historical picture. We have the climate of Florence, the streets and churches of Old Florence, the costumes of the old Florentines, their very diet and dishes, their peculiar humours and ways of expression, their open-air life in shops and markets, their religious processions, their political factions and excitements, and their sense of their relations to the Italian world around. So fully and minutely has the art of the authoress striven to reproduce the medium in which the story moves, that, to some extent, she must have repelled less educated readers that may have rushed at first to the novel. In the very opening we are introduced to matters of books and scholarship, and enthusiasm in art and archæology and philology, all really belonging to Florentine life at the time in question, but of a kind in which only readers of some learning have the due preliminary knowledge, and in which the mass of readers, impatient for the love-scenes, and the rage, and the revenge, and the possible murder, and the other well-known constituents of the 'thrilling interest,' will almost certainly find themselves caught, as in a thicket which they can hardly get through. For example, the scholarship of Romola's blind old father, Bardo, and his care about his guns and codices, and the bequest of his library,—essential as they are to the story, and beautiful as they are to those who have some apprehension of these things,—will have something of *caviare* in them to ordinary novel-readers. In short, 'Romola' is, and the authoress must have intended this from the first, a novel *ad clerum* rather than *ad populum*. Not that there are not, even among the historical or quasi-historical reproductions, elements of rousing popular interest for those who read steadily, so as to come upon them. There are the street tumults which it requires no special learning to appreciate; there are the capital humours of the barber Nello all through; one is in a real whirl of strong Italian life and politics. Above all there towers through the story the great historical figure of Savonarola; one of those characters which, though their complete appreciation may task the minds of the most philosophic and the most cultured, belong so naturally to men's imaginations all the world over, that, whenever they are spoken of, all will attend. The authoress has evidently taken great pains with Savonarola; and one of the effects of 'Romola' will be that henceforth the great Italian reformer will be a far more distinct and grand personage in the British mind than our dry ecclesiastical historians have ever succeeded in making him. We wish that young Macchiavelli had been omitted from the novel. He was hardly necessary; and the portrait of him, as compared with that of the grand Savonarola, must irritate all who know any thing of Macchiavelli<sup>1</sup>."

In the novel called "Sylvia's Lovers" Mrs. Gaskell sustained the reputation which she won long ago by "Mary Barton" and "Ruth."

The extraordinary interest excited by Captain Speke's discovery of the source

<sup>1</sup> "Reader," July 11, 1863.

of the Nile commands popularity for the book in which he has detailed his adventures in search of this mysterious region, although it has been drawn up with evident haste. "We look in vain here," says a recent notice, "for any thing like the masculine strength, learning, and rich local information of Abyssinian Bruce; for the series of exquisite soft-toned pictures which charms all, young or old, who examine the pages of Mungo Park; for Burton's poetic genius, dramatic faculty, and general omniscience; or for the laborious collection and careful generalization of facts for which Livingstone is distinguished. There will be found, however, what to many readers will become acceptable, a plain narrative of personal experiences, freely and freshly told, by an energetic and somewhat self-opinioned English officer. The introduction, in which the gallant explorer essays to give a general account of the country which he visited, is a very poor confined affair, in some passages not even consistent with itself. That portion of the journey which lay between Zanzibar and the immediate neighbourhood of the later Victoria N'yanza, though it might have made the reputation of a less ambitious and less fortunate traveller, is comparatively of small interest, because the country was not new, and it had been better described before. It is when Speke gets into Karague, Uganda, and Unyow, which before we knew only from the accounts Burton collected from the Arabs, that new ground is entered upon, and the traveller's strangest experiences are met with. The actual space he got over in these provinces, and which constitutes his new contribution to African exploration, was only about three hundred miles, but, owing to the conduct of two or three monarchs, about a year was occupied in doing so."

It is proper to remark that the merits of Captain Speke, in achieving that wherein so many other travellers have failed, have been brought into question, and an indisposition on his part to allow others their fair share of credit, in paving the way for his discoveries, has led to a warm controversy which still continues.

One of the most successful explorers in the Upper Nile regions, previous to Captain Speke, was Captain Richard Burton, famous as a traveller in many lands of the East. In 1861 Mr. Burton became Consul at Fernando-Po, and the results of his observations in that neighbourhood have recently been given to the public under the title of "Abbeokuta and the Cameroons Mountains." The book contains many novel revelations of the highest interest. We quote the words of a reviewer as to Captain Burton and his work. "We may soon look for a new epoch in West African literature. This remarkable country, of which nothing whatever is known, except a few strips of sea-board, the banks of certain rivers, and one or two inland tracts—mere specks in a universe—is beginning to attract the attention of practical mankind. To such the two volumes which Captain Burton has just published will have a deep significance. There is, perhaps, no man living in whom great faculties of brain and body are so remarkably combined as in Richard Burton. He has not only achieved great physical triumphs in these continents. He has skimmed all the sciences; possesses no slight knowledge of geology and botany, and is a profound linguist. Unsurpassed as well in the athletic acquirements of a sportsman and a soldier, he reminds one of those Athenian philosophers who were as skilled in them as in the schools, or of those Roman officers who could use with equal ease the sword and the pen."

Upon Japan and China several works of importance have appeared, among which must be placed first Sir Rutherford Alcock's "Capital of the Tycoon."

This is a narrative of the British Envoy's three years' residence in Japan, and, besides the political matter, contains a mass of interesting observations on the manners and customs of a people hitherto little known to Europeans. Mr. Fortune's "Yedo and Peking" is a narrative of a journey to the capitals of Japan and China, and presents those peoples as seen from another point of view, Mr. Fortune's object being principally the collection of horticultural rarities. Mr. Fortune having lived in China, India, and Japan for eighteen years, had great knowledge of the languages of the people, and opportunities of appreciating their peculiarities such as few other Englishmen can command. Dr. Gordon's "China, from a Medical Point of View, in 1860-1," contains, in addition to the professional statistics, a description of the neighbourhood of Teintsin, and an account of the natural phenomena of Northern China. A long stay at Teintsin had familiarized the members of the medical staff with the natives, and enabled them to become acquainted with most of the details of their domestic life.

Commander Bedford Pim's "Gate of the Pacific" discusses the important political and commercial question of the transit of the Isthmus of Panama, and suggests the possibility of another passage across the Mosquito territory, and the Republic of Nicaragua, by means of a railroad.

"Adventures and Researches among the Andaman Islanders," by Dr. Mouat, opens up a new and curious subject. The Andaman islanders are perhaps the most mysterious race on the face of the earth. It has been found nearly impossible to obtain any information respecting them, and many speculations have been offered as to their origin. A view lately propounded by Professor Owen, that they are an aboriginal people, and unrelated to any others known, has aroused curiosity concerning them, but the hostility which they have invariably shown to strangers has made it impossible to collect any but the scantiest information of their habits. A convict settlement was established on these islands by the Indian Government towards the close of the last century, but was given up on account of the great mortality among the prisoners. In the time of the Indian mutiny the idea of using the Andamans for this purpose was revived, and Dr. Mouat was despatched by Lord Canning to explore them. It was found impossible to hold intercourse with the natives. Dr. Mouat's book is calculated to increase rather than satisfy curiosity, and it is evident that a field of research of the most interesting character remains here to be explored.

The subject of spiritual manifestations can hardly be left out in any notice of the doings of the year 1863. Mr. William Howitt treats the question on a large scale in his "History of the Supernatural in all Ages and Nations;" while Mr. Home has given the world the history of his own life, containing marvels of a startling kind. Mr. Spicer's "Strange Things among us" is a work intended to lead to some elucidation of the mysterious phenomena. Lastly, a work entitled "From Matter to Spirit, the Result of Ten Years' Experience in Spirit Manifestation, by C. D.; with a Preface by A. B.," excited considerable attention; it being well understood that A. B. is Professor De Morgan, and C. D. Mrs. De Morgan. Professor De Morgan appears to vouch for the existence of certain singular phenomena to explain or systematize which no theory has yet presented itself to him. This testimony, together with that of several other writers of repute who have publicly expressed their opinion to the same effect, leads to the conclusion that there is something for philosophers to examine. In the expositions of the professed mystagogues little satisfaction can be had.

Of books devoted to science in different branches we will group a few together.



A work on "Chemistry," by Doctors Brande and Taylor, is intended to furnish the elements of this science in a more simple and intelligible form than preceding manuals. A good account is given of the present state of knowledge of spectrum analysis, and of the new metals that have been discovered by its aid. A "Manual of Geology," by Professor Dana, an American, is devoted chiefly to the consideration of American geology, but contains much that is of the highest utility to European students. In Professor Huxley's "Six Lectures to Working Men" is given an elementary exposition of the causes of the phenomena of organic nature in accordance with the Darwinian hypothesis. A third volume of the magnificent work of the brothers Schlagintweit, entitled "Results of a Scientific Mission to India and High Asia, undertaken between the Years 1854 and 1858, by Order of the Court of Directors of the H.E.I.C.," deals with the topography of the countries surveyed. This work, when complete, for another volume—devoted to meteorology, natural history, botany, zoology, ethnography, and language—is yet to follow, will certainly be one of the most magnificent monuments of scientific research in existence. The present volume is accompanied by an atlas of splendid panoramas, views, and maps. A new edition, by Mr. Carter Blake, of Dr. Knox's translation of Milne Edwards's "Manual of Zoology" testifies to the esteem in which the great French naturalist's work is held in England. Mr. Lovell Reeves' "Land and Fresh-water Mollusks, Indigenous to or Naturalized in the British Isles," is a beautifully illustrated manual of the subject, which it completely exhausts. The "Introduction to the Study of the Foraminifera," by Dr. Carpenter, is another careful and useful illustrated contribution to the science of natural history. Professor Tyndall's "Heat considered as a Cause of Motion," being a course of twelve lectures delivered at the Royal Institution in 1862, is intended to be a popular book. It is "to bring the rudiments of a new philosophy within the reach of a person of ordinary intelligence and culture." It discusses a subject which continues to be one of the mysteries of science, and upon which philosophers of the highest name are divided in opinion. "Lectures on Jurisprudence," by the late John Austin, vols. ii. and iii., edited by his Widow, are calculated for the perusal of a very narrow public only, but have an importance inversely proportionate to the number of those who will study them.

No great manifestation of poetical power has excited attention, though the usual stream of poetical volumes has flowed throughout the year. The works of Thomas Hood have been edited by his son, and Lord Houghton has published a collection of his small poems. If we may trust the critics, the poems of Jean Ingelow, and the "Story of Queen Isabel," by M. S., rise somewhat above the average level of merit.

Mr. Hawthorne's criticisms and observations on England and the English, in his work entitled "Our Old Home," have naturally been read with interest. The two volumes are compiled from notes made in his journals during the years he spent in England as United States Consul at Liverpool. Mr. Hawthorne does not spare his relations, and the book is worth studying in reference to the phenomena of British and American antipathies, which recent events have brought into greater prominence than ever.

Periodical literature forms an important feature in modern life. Quarterly, monthly, weekly, and daily publications act as the guides and the records of public opinion, and mark the progress of mind in every department of thought with a wonderful minuteness. Through these mediums the public is, as it were, perpetually communing with itself, canvassing and reviewing actions and events,

opinions and discoveries, and forming and correcting its own judgments. Some general notice of this class of publication is therefore required in our survey of the literary annals of the year 1863.

A catalogue of periodicals, published by Messrs. Longman at the beginning of the year (1864), gives the names of 81 quarterly, 359 monthly, and 254 daily and weekly publications issuing from the London press. Besides these there are 49 Transactions or publications of Learned Societies and Printing Clubs, giving a total of 743 metropolitan periodical publications. A small number of works included in this list are however mere serials, that is, works of a limited extent, such as cyclopædias and works of science or fiction, which it is found convenient to issue in parts instead of bringing them out at once in a complete form.

The Quarterlies, an important class, include some which take cognizance of things in general, literature, science, art, and politics, and some which are devoted to special subjects. The prices range from one penny to ten shillings. The *Edinburgh* and *Quarterly Reviews* take precedence by virtue of age, but are considerably encroached upon by their younger rivals, the "*British Quarterly Review*," "*The Christian Remembrancer*," "*The Dublin Review*," "*The Home and Foreign Review*," "*The London Review*," "*The National Review*," "*The North British Review*," and "*The Westminster Review*," which have risen up from time to time as the organs of different sects or sections of the community, and have established themselves with more or less success in the public favour.

The Monthly publications present great variety, both in object and in execution. A large number are devoted to religion, missionary societies, and education. More than a score are intended, as their titles indicate, solely for boys and children, and many more certainly do not affect to rise above the level of the meanest capacity. Halfpenny publications are not uncommon among them. The titles of some of the obscurer organs of opinion, which no doubt do their work in certain strata of society, are curious. We find an "*Anti-Tobacco Journal*," "*Band of Hope Review*," "*Bond of Brotherhood*," "*British Millennial Harbinger*," "*Cheering Words*," "*Co-operator*," "*Daystar*," "*Dewdrop*," "*Earthen Vessel*," "*Girdle of Truth*," "*Lamp of Love*," "*Last Vials*," "*Pearls from Golden Streams*," "*Progressionist*," "*Rainbow*," "*Sower*," "*Sunbeam*," "*Sunshine*," "*Zion's Trumpet*," and many others of mysterious and symbolical character.

The British workmen and cottagers, the coach-builders and saddlers, the cutlers, the farmers, the paper-makers, and perhaps a few other trades, have monthly publications expressly intended for their improvement or information. Monthly publications of a higher character, and known as important organs of literature and art, are *Blackwood* and *Fraser's Magazines*, venerable from old associations; the "*Cornhill Magazine*," which has grown into fame in the memory of the youngest; "*Bentley's Miscellany*," the "*Dublin University Magazine*," "*London Society*," "*Macmillan's Magazine*," "*New Monthly Magazine*," "*St. James's Magazine*," and "*Temple Bar*." The "*Gentleman's Magazine*," the Nestor of English periodicals, still survives.

Law and physic, the army and the navy, have several monthly organs. In music we find a "*Musical Monthly*," a "*Musical Times*," and "*Tonic Sol-fa Reporter*." As a representative of art we have the "*Art Journal*," a work of very wide circulation, which continues to maintain a high reputation for the excellence of its specimens of engraving.

A new mania which has lately seized the public, that of collecting postage-stamps, has given rise to a "*Stamp-Collectors' Magazine*." A small monthly, of literary and didactic character, entitled "*Good Words*," conducted by a Scotch

clergyman, has attained considerable notice and popularity, from the eminence of the contributors, and from a formal attack made upon its editor by a sectarian portion of the clergy in Scotland.

The weekly and daily press is an astonishing indication of the mental activity of the times in which we live. The penny daily papers have risen into great importance, and are so ably conducted as to have infringed seriously upon the ground occupied by their more expensive precursors. The cost of the "Times" itself is now but threepence, and only the "Globe," an evening paper, adheres to the old price of fourpence.

The "Athenæum" and the "Reader" are the two journals now representing literature, art, and popular science; the old "Literary Gazette," which in 1862 assumed the name of the "Parthenon," having come to an end in 1863, after an existence of forty-six years. The "Critic," another literary paper of later origin, also expired in this year. A more miscellaneous class of paper, in which politics and the topics of the day are discussed as well as literature, has sprung up, and is more adapted to the tastes of the public. Among them the well-known "Saturday Review" holds the highest place; but the "Examiner," the "Spectator," the "Guardian," the "Economist," and the "Press," maintain their hold upon important classes of readers. Six papers entitle themselves "Illustrated;" but illustration is applied to many others, and indeed has become rather the rule than the exception. As weekly miscellanies of fiction and amusing information, "Chambers's Journal," "All the Year Round," and "Once a Week," enjoy extensive popularity, and are frequently the means of introducing to the public in a serial form tales by writers of the highest eminence. Three papers are devoted exclusively to facetiæ and the wildest nonsense, the well-known "Punch," its younger rival "Fun," and the "Comic News." The paper called "Public Opinion" professes to give weekly the cream of the speculations of all the other papers weekly and daily, upon the most engrossing topics of the day. There are eight weekly publications of which the price is only one halfpenny. "Notes and Queries" is an organ of intercommunication for literary men upon curious trifles of literary interest. It would be difficult indeed to find any "interest" which has not its peculiar weekly organ: the sporting world, the ladies, the builders, the booksellers, the bakers, the grocers, the insurers, the investors, the Freemasons, the volunteers, the teetotalers, the theatre-goers, the boys and the girls, are assiduously catered for.

The transactions and publications of the Learned Societies form a record of the investigations and discoveries of the most eminent labourers in the various departments of science and art. Of these in the year 1863 there were thirty-five issued for public sale, fourteen distributed to the members of the associations alone.

The above is but a bird's-eye view of that motley phenomenon, the metropolitan periodical press, as existing during the past year. Continual changes are of course going on, but the development is a healthy and vigorous one; and it is generally admitted that the standard of excellence is rising, free competition and the removal of all legislative interference or restriction having been manifestly attended with the best results.

## ART.

Picture exhibitions have become almost perennial in London. It is seldom that one or more is not open to the art-loving public. At the beginning of the year there was on view a selection of sketches and studies by Members of the Old Water Colour Society in Pall Mall; Mr. Leech was exhibiting his painted sketches at the Auction Mart, while, at Exeter Hall, Mr. George Cruikshank's wondrous series of works, reaching from the veteran's earliest attempts down to the latest exhibitions of his grotesque imagination, was still to be seen. These, however, were more properly things of the preceding year.

Two exhibitions were opened in January in aid of the fund for relief of distress in Lancashire. One of these consisted of works by the Institute of Water Colour Painters, the other principally of amateur productions. The high success with which art is cultivated by amateurs at the present day is a noticeable circumstance.

A winter exhibition of the works of young artists was opened in Berners-street.

The British Institution was opened in February for the exhibition of modern pictures. It is seldom that works of much note find their way to this exhibition, at least of late years, and it can by no means be taken as an index of the state of art. The critics pronounced the collection this year unusually poor.

In April the Society of British Artists opened at the Suffolk-street Gallery. The Society has existed forty years, and has reached a point at which not to go forward is to go back. Certain classes of pictures contributed by the elder members of the Society have long been too familiar to the art critics, who hunt about in corners for small works with unknown names in the hope of unearthing something new. The "Athenæum" pronounced the exhibition this year to be "above the average," while another journal described it as "an unusually indifferent display."

An exhibition of architectural drawings and designs opened in the month of April.

The French Gallery has for some years attracted great attention, the visitor being sure always to find here a judicious selection, comprising some of the best specimens of French and Flemish art. Its opening precedes by some weeks that of the Royal Academy, to which it is an agreeable prelude. This year, in addition to the works of the two great schools, a few productions of Italian, Hungarian, Polish, and Danish art were introduced. Works by the Bonheur family (but Rosa was not among them), by Gérôme, Meissonier, Troyon, E. Frère, Duverger, Trayer, Chavet, Leys, Alfred and Joseph Stevens, Willems, &c., were to be found in the Gallery. With the merits and peculiarities of all these painters, and of many others of their schools, the English public, thanks to this exhibition, is now pretty well acquainted.

The Society of Female Artists has an exhibition of its own, and opened this year in Pall Mall. The quality of the works was very unequal, and certainly the best of our female artists were not represented.

The Society of Painters in Water Colours, or Old Water Colour Society, as the public calls it, is still vigorous and fresh. The exhibitions of this Society have long been considered by connoisseurs as the choicest and most unexceptionable of any, a high and even standard of excellence being always maintained. At the



crowded private view a large proportion of the works hung is certain to be decorated with the little blue ticket proclaiming "Sold." Among the gems of this year's exhibition were F. Burton's "Jostephane," the head of a Greek woman, and a "German Flower Girl," by the same artist. The works of A. and G. Fripp were as usual numerous and attractive. Landscapes by A. W. Hunt, and a moonlight scene by A. P. Newton, commanded attention. Carl Haag sent a large view of Palmyra, and S. P. Jackson some excellent coast scenes. Other artists, through whose works the present age will be marked and remembered in after times, are the prolific J. Gilbert, F. Smallfield, O. Oakley, J. J. Jenkins, C. Davidson, S. Palmer, B. Willis, W. Goodall. A few exhibitors still remain, whose works recall a bygone state of the art, but even these have the charm of old acquaintance and familiarity; and, old as many of the subjects treated are, the versatility shown in presenting them in new forms is wonderful. A contemporary critic pronounces the exhibition "the most charming and brilliant that we have ever seen in the Gallery."

This year, the New Society of Painters in Water Colours, having attained the age of thirty, changed its name, and presented itself to the public as the "Institute of Painters in Water Colours." The Society has purchased the house where its exhibition used to take place, and rebuilt the gallery. The exhibition this year was voted a moderately good one, amongst its features being the brilliant and minutely painted landscapes of E. G. Warren, and those of W. Bennett remarkable for breadth and boldness. There was an elaborate Eastern subject by H. Warren, large historical pictures by L. Haghe, and figure pieces by C. Werner, J. Absolon, E. H. Wehnert, J. M. Jopling, and Mrs. E. Murray. Amongst the landscapists the names of Penley, Whymper, and McKewan figure as usual. There is young blood in this Institution, and it continues to maintain its place with much success by the side of its elder sister, the Old Water Colour Society.

The Exhibition of the Royal Academy is pronounced to have been this year considerably above the average, "not through the presence of any commanding picture, such as sometimes characterizes an exhibition in our memories by its title, but in the healthier, because more uniform, value and interest of many very excellent works." Nearly all the leading painters of the day were represented, the great exceptions being Mr. Mulready (since deceased), Mr. Maclise, and Sir Edwin Landseer. The following is a summary of the principal pictures by a contemporary critic ("Athenæum"): "Mr. Stanfield sends five pictures, all coast scenes, the results of long-made memoranda; these have their subjects from the countries wherein he has most frequently found materials—England, Spain, Holland, and Italy. Mr. Millais is in force with three paintings, two of which are of humorous character, and more solidly executed than has been his recent wont. Mr. Elmore has two pictures, small; Mr. Hook, three coast subjects from the Scilly Islands; Mr. Phillips, two, one commissioned by the Speaker, comprising portraits of the political leaders of the day; also a Spanish subject. Mr. Leighton has four; one very large, a Scripture theme; a second, above the average size, a 'Lady feeding Peacocks,' remarkable for its exquisite colouring and delicacy of painting; a third, one of those lovely heads which he has so frequently produced. Mr. Poole sends a small work. Mr. Faed has three pictures; an 'Orange Girl,' a subject from an old ballad, and a domestic scene of humorous character. Mr. E. M. Ward gives us two pictures, and shows an inclination to return to his early and better style, both from themes such as he has often treated, and remarkable for the novelty of their well-defined incidents. Mr. F. Goodall has four works;

studies of Oriental character and a view in Cairo. Mr. Armitage's single picture is a pathetic representation of an incident in early Christian history. Mr. Frith has a small picture; Mr. Holman Hunt, a portrait and a small fancy subject; one remarkable for character and strength of painting, the other for brilliancy and spirit. Mr. Creswick sends four landscapes of unusual interest. Mr. E. W. Cooke has three, the chief a very remarkable study of a sand-drift at the East of Gibraltar. Mr. Cope sends two pictures, Mr. Redgrave three, Mr. Lee five. Mr. Marks will advance his reputation with a picture of Shakspearian time, showing the dramatist studying human character in the streets of Elizabethan London. Mr. Calderon's production, showing the interior of the English Ambassador's house in Paris during the massacre of St. Bartholomew, August 24, 1572, gives him a claim to the title of an excellent artist. Mr. Gale sends a work painted in Jerusalem,—‘The Wailing Place of the Jews at the Wall of Solomon's Temple.’ Mr. Watts has a poetically suggestive subject, and a portrait. Messrs. J. P. Knight and Wells send valuable portraits.” To these ought to be added some fine views of St. Paul's and cathedral interiors, by D. Roberts; portraits by F. Grant and Richmond; a view of Sinai, by J. F. Lewis; a seventeenth century escapade (attack and defence), by J. C. Horsley; the power of music, by G. O'Neil; going to the Festa, by R. Ansdell, and a Judith by J. R. Herbert.

The greater part of these works are of the same kind and subjects as those which the public has long been accustomed to see from the same hands, and not inferior to the average of their predecessors. Upon the pictures of Mr. Millais, which usually excite the most attention and curiosity, as presenting something novel and unexpected, various judgments have been passed. The least popular was probably the largest, “*Madeline Disrobing*,” from Keats's “*Eve of St. Agnes*,” a scene in which imagination and solid reality are remarkably blended; “*The Lion's Den*,” a picture of children playing at wild beasts under the grand piano, was appreciable by all; but the greatest favourite was “*The First Sermon*,” showing a demure little red-cloaked damsel in a high pew of green baize, listening with edification, it is to be hoped, to an address from an unseen pulpit.

Mr. Phillips's “*House of Commons, 1860*,” containing the portraits of statesmen whose faces are yet familiar to all, but some of whom have already passed from the earth, will be of high interest in years to come. Mr. Calderon's “*Massacre of St. Bartholomew*” has been stamped by public opinion as one of the most remarkable pictures of the year. It has been engraved. Among minor paintings of great merit, by artists destined to be heard more of hereafter, are to be mentioned, “*La Belle Ysoude*” and “*Vivien*,” fancy portraits by F. Sandys; “*The Lost Path*,” a snow-scene by F. Waller; “*An Evening Scene at Venice*,” by A. Gilbert; portraits by W. E. Orchardson and J. J. Napier; “*A Reminiscence of Waterloo*,” by M. Stone; “*Goldsmith's Funeral*,” by E. Crow; “*After Work*,” by J. Clark. The whole number of paintings exhibited was 892; architectural drawings, 47; engravings and etchings, now classed by themselves in the Octagon Room, 71.

In the Sculpture Room, now enlarged and better lighted than of old, 195 works were exhibited; portrait-busts, as usual, abounding. Among the works which we find sufficiently interesting to elicit the notice of critics, were Mr. Durham's “*Africa*” and “*America*,” Mr. W. C. Marshall's “*Undine*,” Mr. C. B. Birch's “*Margaret*,” Mr. H. S. Leifchild's “*Mother of Moses*,” and “*Go and Sin no more*,” statues and busts by E. B. Stephens, J. Adams, and T. Woolner.

A small collection of pictures which the Royal Academy had rejected was exhibited in the great room of the Cosmopolitan Club. Some of the works were doubtless of singular merit, and it is difficult to understand their rejection, seeing the productions which are admitted every year to figure on the Academy's walls.

The British Institution opened in June for the exhibition of pictures by Old Masters. The room devoted to the English school contained a tolerably complete collection of the works of Romney.

The Report of the Royal Commission appointed to inquire into the state of the Royal Academy appeared about the middle of the year. The evidence, contained in a mighty blue-book, is exceedingly voluminous, the list of the witnesses including the names of most of the leading artists of the day, both painters and sculptors, and of well-known art critics, such as Mr. Layard, Mr. Tom Taylor, and Mr. Ruskin. The President of the Commission was, Earl Stanhope. Several measures of reform are recommended by the Report, the chief of which may be shortly given as follows:—1. The present number of forty-two Academicians to be increased to fifty; the eight additional memberships to be confined to sculptors and architects. 2. Ten lay or non-professional members to be added to the fifty Academicians, to be elected for a period of five years by the Academy, and to be re-eligible. 3. Thirty new Associates to be added to the present number of twenty. 4. The Academicians and existing Associates to be limited to the exhibition of four works each year, and future Associates, and artists in general, to exhibit no works as of right, and never more than four. 5. Three committees, nominated by the Council, to arrange the works of painting, sculpture, and architecture, selected for exhibition by the Council, each committee consisting of two Academicians and one Associate. 6. The present system of instruction to be abandoned. A General Director (not necessarily a member of the Academy) to be appointed for instruction, with a salary sufficient to ensure the services of a first-rate teacher.

The Report and its recommendations, as a whole, seem to have met with public approbation, but it has not altogether escaped the objections of critics in several particulars.

With regard to the building to be occupied by the Royal Academy, a subject which has been so warmly discussed, the Commissioners recommend that the Government should undertake the building of a new National Gallery at Burlington House, and that the whole of the building in Trafalgar-square, one wing of which is now occupied by the National collection, should be handed over to the Academy for their use, subject to such conditions and arrangements as the Government of the day may determine.

Whether these schemes be carried out wholly or in part, or with revision of some details, it is generally felt that this Report is the harbinger of a new and better era of English art.

The following pictures were purchased for the National Gallery during 1863:—"A Holy Family," by Lanini, a Milanese painter, who flourished in the latter half of the sixteenth century, a pleasing and beautiful specimen of the class to which it belongs, by a painter as good as unknown in England; "Christ on the Mount of Olives," by Giovanni Bellini; "The Adoration of the Kings," by Bartolomeo Suardo, called "Il Bramantino;" "The Virgin and Child," by Beltraffio; and "The Holy Trinity," by Pesellino, an early Florentine painter, a work of extraordinary power and loftiness of conception. The sum given for this picture was 2000 guineas. A collection of twenty-two pictures by

early Dutch, Flemish, and German artists, was presented by Her Majesty, in compliance with the wish of the late Prince Consort. A painting by Wright of Derby, "Experiments with the Air-pump," was presented by Edward Tyrrell, Esq.; a portrait of Lewis the Comedian, by Sir M. A. Shee, was bequeathed by T. D. Lewis, Esq.; and "Sir Guyon," by Unwin, was bequeathed by Apsley Pellatt, Esq.

A number of important picture sales took place during the season; and the prices fetched by pictures of real merit seem to be on the rise. At the sale of the late Mr. Bicknell's pictures hardly a single work in a collection of nearly 500 failed to obtain a higher price than it had cost the collector. It is true that this collection was one made with unusual taste and judgment. At this sale the following pictures by J. M. W. Turner were sold:—"Antwerp," 1833, cost 315*l.*, sold 2635*l.* 10*s.*; "Helvoetsluys," 1832, cost 283*l.* 10*s.*, sold 1680*l.*; "Ivy Bridge, Devon," cost 283*l.* 10*s.*, sold 924*l.*; "Wreckers," 1834, cost 288*l.* 15*s.*, sold 1984*l.* 10*s.*; "Calder Bridge," cost 288*l.* 15*s.*, sold 525*l.*; "Venice," 1842, cost 262*l.*, sold 1732*l.* 10*s.*; "Ehrenbreitstein," cost 401*l.*, sold 1890*l.*; "Port Ruysdael," 1827, cost 315*l.*, sold 1995*l.*; "Palestrina," 1830, cost 1050*l.*, sold 1995*l.* Works by Stanfield, Roberts, and Sir E. Landseer also went at prices far beyond their original cost. Mr. Bicknell's pictures alone (without the water-colour drawings) realized 56,494*l.*

A collection of early pictures, made by the Rev. W. D. Bromley, was also dispersed in June. "It is not too much to say that there has not occurred a sale of works of ancient art for several years which in importance can compare with this. Almost free from mere sensational and pretty pictures, such as form the staple of popular galleries, this collection was worthy of a man of genius, who understood art in its highest and most spiritual sense<sup>2</sup>." "A Virgin and Child," by Leonardo da Vinci, sold for 490 guineas. The same subject, by Sandro Botticelli, fetched 750 guineas. A portrait from the Rogers' Collection, by Fillippino Lippi, 406 guineas. The total produce of this sale was 13,958*l.* 5*s.* In comparing the result with that of the sale previously mentioned, it appears that modern works are sought for at higher prices than those of the ancient painters,—the works of Turner, Landseer, and several other painters commanding the most extensive competition.

At the sale of Mr. Allnutt, which occurred somewhat later, a large number of valuable works, chiefly modern, was dispersed. This sale realized 19,295*l.*

The Arundel Society, founded for the purpose of promoting a knowledge of early Italian art, and for the publication of copies of rare specimens falling into decay, has been thriving this year. "The Art Journal" (July) says, "A full tide of prosperity has flowed to the rooms of this Society in Old Bond-street. Visitors to London and other strangers to the good works of this association should avail themselves of the liberal grant of free admission to the valuable series of copies from Italian frescoes there on view. The exhibition will be found to be little short of an epitome of Italian art from the time of Cimabue to Leonardo, Luini, and Raphael. Some of the masters in this historic chain are represented by chromo-lithographs, already issued to subscribers; others are seen by the original drawings made expressly for the Society from the frescoes themselves. The earliest in the series date back to the period of Cimabue, in the thirteenth century; the latest, consisting of photograph drawings from the two tapestries in the Vatican—wanting in the Hampton Court collection,—come down to the closing years of Raphael's life, in the sixteenth century."

<sup>2</sup> Athenæum.



"The Society as careful watchers over, and in some sense almost the guardians of, the great frescoes of Italy, have established a special fund for the copying of works which may be fast falling to decay. The firstfruits of this enterprise are now to be seen hung in the rooms of the association. Amongst them we may enumerate 'The Adoration of the Kings,' the masterpiece of Perugino, at Citta della Pieve; the important works by Mantegna, in the Church of the Eremitani, at Padua, including especially 'The Martyrdom of St. Christopher;' the early compositions lying at the foundation of the great middle age revival, painted by Cimabue, Buffalmacco, and Simon Memmi, in the Church of St. Francis, at Assisi; and, lastly, coming later, four beautiful compositions by Luini, at Saronno, near Milan, certainly the very choicest of the numerous paintings with which this artist has adorned the cities of Lombardy. It will thus be seen, that in some sort the arts which flourished in the plains of Milan, and in the cities of Padua, Florence, and Rome, have been transplanted to Old Bond-street, London."

"We are glad to know that the Arundel Society has now attained the proud position most to be desired, whether the sphere be politics, literature, or art; that it has reached, we say, the strength, which can fearlessly incur, and can, if need be, court direct unpopularity. In other words, this Society can brave the publication of a high class of works which cannot be ventured upon by mere private mercantile houses, works which appeal to the educated few, which supply the wants of earnest students, and which tend to exalt art in this country."

A new set of rules was adopted by the Society at their June meeting, providing amongst other things that the number of members should be allowed to fall to 1500, who are alone to receive the annual publications in return for their subscriptions. New members will be admitted first as associates, and afterwards as subscribers on the occasion of vacancies in the 1500.

A "Fine Arts' Quarterly Review," on a very magnificent scale, was started this year, the contributors being amongst the foremost authorities in art. In the first volume were contributions by Mr. Tom Taylor, Professor Charles Kingsley, Mr. Palgrave, Mr. W. M. Rossetti, Mr. Panizzi, Mr. Hamerton, Mr. F. G. Stephens, and others. The illustrations are of high character, and the work aims at taking the highest place amongst art publications.

Under the head of Art, Music should not be left unnoticed; but it would be impossible to do more than allude to the leading events of the year which have novelty to distinguish them, the chief one being the production of M. Gounod's "Faust," at Her Majesty's Theatre and Covent Garden. Her Majesty's Theatre was the first in the field, but was quickly followed by the rival establishment. At the former the heroine was represented by Madame Titiens, at the latter by Madame Carvalho. The public, which some years ago heard M. Gounod's "Saffo" at Covent Garden with indifference, was on this occasion taken by storm, and the success of "Faust" was something unusual. The music, although strange, and unlike that with which the public is most wont to be captivated, soon became the property of the very street bands, and was to be heard with less or more perfection of execution on every side. Hostile criticism,—and there was not much of it,—was voted a nuisance, and by the end of the year "Faust" reigned absolutely triumphant. The critics have prophesied immortality, and a place beside the imperishable works of Mozart and Meyerbeer. The value of these predictions time alone can show.

The English Opera Company at Covent Garden produced towards the close

of the year an opera by Mr. Balfe, "*Blanche de Nevers*," which met with no decided favour. A cantata, by Mr. Benedict, entitled "*Richard Cœur de Lion*," produced at the Norwich festival, was pronounced a success, and the work was afterwards performed in London, at St. James's Hall, when an equally favourable verdict was given. A new class of musical composition, "*Opera di Camera*," was attempted at the Gallery of Illustration in November, and though of a slight kind, deserves mention, as likely to develope into an important feature. The piece, entitled "*Jessy Lea*," was composed by Mr. J. A. Macfarren, the libretto being by Mr. Oxenford. The only accompaniment is a grand piano, and solo voices are alone employed, the performers being only four in number. This little opera obtained considerable favour: and the practicability of the scale on which it was produced is likely to encourage aspiring young composers to try their powers in the same direction.

The London Musical Society, which now takes an important place among the numerous societies devoted to musical ends, supplies a desideratum in giving trial performances of the works of young composers. In November six orchestral works of great merit and promise were played at one of these meetings, being symphonies by J. F. Barnett and Miss Alice Mary Smith; a piano-forte fantasia by H. C. Banister; a violin concerto by H. Baumer; and overtures by C. D. Maclean and J. L. Summers.

The usual performances of oratorios, operas, concerts, popular and classical, have gone on throughout the year, and far outrun the possibility of record. It may be remarked only that the standard of music has been greatly raised of late, and that the works of Beethoven, Mozart, Mendelssohn, and other classical composers form the staple of almost every concert which aims at popularity.

## SCIENCE.

At the Anniversary Meeting of the Royal Society the President, Major-General Sabine, in his speech took a summary view of the scientific objects which have recently engaged the attention of the Society. The first subject mentioned was "the projected establishment of a telescope of great optical power at Melbourne, in the colony of Victoria, for the observation of the nebulae and multiple stars of the lower hemisphere. The Society had been consulted on the subject by the Duke of Newcastle, Secretary of State for the Colonies. The President and Council replied to the Colonial Office by a report dated December 18, 1862. It was hoped that the thoughtful discussions embodied in a correspondence which had arisen relative to this matter might have a prospective value not limited to the occasion which had given rise to them. Other sites favourable for such observation might be found elsewhere than at Melbourne, for instance, on the Nilgiri hills, and the subject was one which it might be hoped would one day receive the attention it deserves."

"The researches of Kirchhoff and Bunsen had rendered it probable that we shall be able to obtain much insight into the chemical nature of the atmosphere of the brighter fixed stars, by observing the dark lines in their spectra, and comparing them with the bright lines in the spectra of elementary, and perhaps also of compound, bodies, in the state of incandescent gas or vapour. The interest of such an inquiry was obvious; but the difficulties involved were very great. The inquiry had recently been taken up by two gentlemen working in concert, Mr.

Huggins and Dr. Miller, who in a paper read to the Society had described and figured the spectra of three of the brighter stars. In a subsequent paper Mr. Huggins described the means employed for practically determining with accuracy the positions of any stellar lines which might be observed, with reference to known points of the spectrum, and gave beautiful maps of the spectra of twenty-four of the elementary bodies under the action of the inductive discharge, reserving others for a future communication."

"Professor Tyndall had given the fourth of a series of papers upon the relation of gases and vapours to radiant heat. In the course of these inquiries he showed that the different aeriform bodies, even though colourless, exert very different degrees of absorptive action on the rays of heat; and that certain portions of these heat-rays are more powerfully absorbed than others, rays from objects at a low temperature being more easily absorbed than those from objects at an elevated temperature. He had also proved that gases radiate as well as absorb; and, in conformity with what is known in the case of solids, that in gaseous media also there is equality in the powers of radiation and absorption."

"In the Bakerian Lecture, by Mr. Sorby, entitled by him 'On the Direct Correlation of Mechanical and Chemical Forces,' were embodied a series of observations upon the influence of pressure upon the solubility of salts, in which results were obtained analogous to the change in the freezing-point of liquids under pressure. It was found in cases where, as is usual, the volume of the water and the salt is less than the volume of the water and the salt separately, that the solubility is increased by pressure; but that in cases where, as when sal-ammoniac is dissolved in water, the bulk of the solution is greater than that of the water and salt taken separately, the solubility is lessened by a small but measurable amount."

"The bright lines in the spectra of electric discharges passing through various gases and between electrodes of various metals, had been made the subject of a long and laborious course of experiments by Dr. Robinson, with a view to ascertaining the origin and conditions of these lines. Dr. Robinson inclined to the opinion that their origin is to be referred to some yet undiscovered relation between matter in general and the transfer of electric action; and that while the places of the lines are thus determined independently of particular circumstances, the brightness of the lines is modified according to the special properties or the molecules which are present, through a range from the greatest intensity down to a faintness which may elude our most powerful means of observation."

The President stated that by a discussion of the results of the magnetic observations maintained for several years past at the Kew Observatory with an accuracy previously unattained, and by combining these with the earlier results at the British colonial observatories, he had been enabled to trace, and satisfactorily to establish, the existence of an annual variation in the three elements of the earth's magnetism, which had every appearance of being dependent upon the earth's position in her orbit relatively to the sun.

Dr. Otto Torell, Professor of Zoology in the University of Lund, had communicated an account of the progress made by an expedition appointed by the Swedish Government, at the recommendation of the Royal Academy of Sciences at Stockholm, to execute a survey preliminary to the measurements of an arc of the meridian at Spitzbergen.

"I may, perhaps," said the President, "be permitted to allude for a moment

to the peculiar interest with which I must naturally regard the proposed undertaking. The measurement of an arc of the meridian at Spitzbergen is an enterprise which, nearly forty years ago, was a cherished project of my own, which I had planned the means of executing, and which I ardently desired to be permitted to carry out personally. I may well, therefore, feel a peculiar pleasure in now seeing it renewed under what I regard as yet more promising auspices; whilst I cannot but be sensible of how little I could have anticipated the opportunity, at this distance of time, of congratulating the Swedish Government and Academy upon their undertaking, and of thanking Dr. Torell for having traced its origination to my early proposition."

"A few years ago the attention of the Royal Society was called by the Foreign Office to the circumstance of several glass bottles with closed necks having been found on the shores of the West Coast of Nova Zembla, leading to a conjecture that they might afford some clue to the discovery of the missing ships of Sir John Franklin's expedition. The inquiries instituted by the Royal Society traced the bottles in question to a recent manufacture in Norway, where they are used as floats to the fishing-nets employed on that coast. These floats, accidentally separated from the nets, had been carried by the stream current which sets along the Norwegian coast round the North Cape, and thus afforded evidence of the prolongation of the current to Nova Zembla. The Swedish expedition in the course of its summer exploration found on the Northern shore of Spitzbergen several more of these bottle floats, some of which even bore Norwegian marks and names, supplying evidence of considerable geographical interest of the extension of the Norwegian stream current to Spitzbergen, either by a circuitous course past the shores of Nova Zembla, or by a more direct offshoot of which no previous knowledge existed."

"The application of gun-cotton to warlike purposes and engineering operations, and the recent improvements in its manufacture, had been the subject of a report prepared by a joint committee of the chemical and mechanical sections of the British Association, consisting chiefly of fellows of the Royal Society. The committee had the advantage of personal communication with General von Lenk, of the Imperial Austrian artillery, the inventor of the system of preparation and adaptation by which gun-cotton had been made practically available for warlike purposes in the Austrian service."

"It appeared that many of the disadvantages attendant upon the use of gun-cotton, as at first introduced by Schönbein in 1846, had been overcome, being due to imperfections in its preparation, and ceasing when suitable processes were adopted in its manufacture. The report of the Committee concluded with these words:—The subject has neither chemically nor mechanically received that thorough investigation that it deserves. There remain many exact measures still to be made, and many important data to be obtained. The phenomena attending the explosion both of gun-cotton and gunpowder have to be investigated both as to the temperature generated in the act of explosion, and the nature of the compounds which result from them, under circumstances strictly analogous to those which occur in artillery practice."

The presentation of the Copley and two Royal Medals took place, the recipients being this year all Englishmen.

The Copley medal was presented to the venerable Professor Sedgwick, the geologist. The President said, "The Copley medal has been awarded to the Rev. Adam Sedgwick, for his observations and discoveries in the geology of the Palæozoic series of rocks, and more especially for his determination of the



characters of the Devonian system, by observations of the order and superposition of the Killas rocks and their fossils in Devonshire." After detailing Professor Sedgwick's career and successive discoveries, the President presented the medal with these words, "PROFESSOR SEDGWICK—Accept this medal, the highest honour which it is in the power of the Royal Society to confer, in testimony of our appreciation of the importance of the researches which have occupied so large a portion of your life, and which have placed you in the foremost rank of those eminent men by whose genius and labours geology has attained its present high position in our country."

A Royal medal was awarded to the Rev. Miles Joseph Berkeley for his researches in Cryptogamic Botany, especially Mycology. Addressing Mr. Berkeley, the President said:—"Mr. Berkeley—I present you with this medal on testimony of the high opinion which the botanical members of the Council of the Royal Society entertain of your researches in cryptogamic botany, especially mycology, which in their judgment entitle you to be regarded as the most eminent living author in that department of science."

A Royal medal was also awarded to John Peter Gassiot, Esq., for his researches on the Voltaic Battery and Current, and on the discharge of electricity through attenuated media. The medal was handed to Mr. Gassiot with the following remarks:—"Mr. Gassiot—You will receive this medal as a mark of the deep interest which the Royal Society takes in the investigations in which you are engaged, and of the high value which it attaches to the results with which you have already enriched our transactions. These are the grounds on which the medal has been awarded to you by the Council; but it may be permitted to me to express the hope that you will also associate with it—as it is impossible that we should not do—the Society's recognition of the generous and kindly spirit which has manifested itself, as elsewhere, so also in all your pursuit of science, of which one memorial amongst others will remain in future times connected with the Society—in the establishment of the Scientific Relief Fund."

A *résumé* of the recent progress of astronomical science, laid before the Royal Astronomical Society by the secretary, the Rev. C. Pritchard, furnishes a view of what has been done during the past year, "which," says Mr. Pritchard, "if not remarkable for salient astronomical discovery, can scarcely fail to be memorable for the activity displayed in the many contributions which during its course have been made towards the perfection of astronomical accuracy. The most important elements of our cosmical system are better known to us at its close than they were at its beginning; we have profited largely by the stores of knowledge treasured up for us by the labours and genius of astronomers, whose day of toil has long since closed; and we are every year becoming more sensible of the intimate relation in which every branch of natural science stands to our own favourite pursuit, the chief of them all."

"The correction made to the sun's parallax may justly claim the foremost place in the annals of our astronomical year. The received value of this element 8".56 adopted by Encke from questionable observations of the transit of Venus in 1769 has always been accepted by astronomers as simply provisional; and in the apparent absence of more available means, they have been patiently waiting until improved methods and better instruments could be applied to the next occurrence of the same phenomena in 1874 and 1882. Meanwhile this very correction, thus patiently waited for, had been shown by Le Verrier to be all along, by implication, contained in the comparison between the theoretical and

observed motions of Mars, Venus, and the moon; and the improved value thus suggested by theoretical considerations was adopted in his solar tables. Before him, Hansen had in the year 1854 announced that the parallactic inequality in the lunar theory indicated the necessity of increasing the solar parallax. Subsequently to Hansen and Le Verrier, M. Leon Foucault has succeeded in determining the velocity of light by certain mechanical arrangements of considerable simplicity and easy repetition; and combining his result with the well-ascertained coefficient of aberration, he has deduced a value of the solar parallax in satisfactory accordance with the account assumed by Le Verrier." "Le Verrier's value is  $8''.95$ ; Hansen's,  $8''.9159$ ; Stone's, as deduced from Mars at opposition,  $8''.932 \pm 0''.032$ . Mr. Winnecke, from a comparison of the Poulkowa and Cape of Good Hope observations of Mars, obtained the value  $8''.964$ ." "This minute correction, amounting to no more than two-fifths of a second of arc, thus curiously brought to light in the first instance by small disturbances in the motion of the moon and planets, may reasonably inspire astronomers with additional confidence (if that were needed) in the exactness of their science and in the fixedness of the laws which bind the Kosmos together. And if, on the other hand, a contrary misgiving is created in other minds from the fact that this abrupt alteration of so important an element as the solar parallax implies an alteration of some four millions of miles in the sun's reputed distance from our earth, this misgiving may perhaps be removed by the consideration that, after all, this improvement of our knowledge amounts to no more than a correction to an observed angle represented by the apparent breadth of a human hair viewed at the distance of about 125 feet." Mr. Pritchard next alludes to a slight correction in the constant of lunar parallax, which is adopted in the "Nautical Almanac" for 1867, and which implies a diminution of our mean distance from the moon of about twenty-six miles. Investigations, with a view to determine the magnitude and direction of the solar system in space, have been made by the Astronomer Royal, with a result very nearly coinciding with that of Sir W. Herschel, arrived at long ago. The conclusion, however, is, that the whole question of solar motion in space, so far at least as accounting for the proper motion of the stars is concerned, remains at this moment in doubt and abeyance.

"M. Goldschmidt has lately verified the existence of a companion to Sirius, discovered by Alvan Clark, and also observed several others, of which one at least has been verified by Mr. Dawes. M. Krüger has added two or three to the very limited list of stars whose parallax is approximatively known. The cause of the well-known discordance between the zenith distances of celestial objects obtained by direct observation and those obtained by reflections from quicksilver was some time since suggested by M. Faye. The question, however, has this year been set at rest by the Astronomer Royal, who has successfully traced the cause to the meteorological condition of the air surrounding the instrument, as influenced by the dimensions of the shutters in the observing-room. The general conclusion drawn from the investigation has an important bearing on the accuracy of all instrumental determinations of zenith distances, inasmuch as Mr. Airy has shown that all such determinations deduced from direct, and uncombined with reflexional, observations, are liable to an appreciable error, varying from a quarter to half a second."

"No advance has this year been made towards the reconciliation of Professor Adams's value of the acceleration of the moon's mean motion with Hansen's value, which represents the ancient eclipses so well; but Hansen himself has suggested that the hypothesis of the infinitesimal alteration of the time of the

earth's rotation by  $\cdot 01197$  seconds in 2000 years may possibly account for the discrepancy, and may also explain certain anomalies between the theoretical and observed places of Mercury brought to light by M. le Verrier."

"The publication of the results of Mr. Carrington's scrupulously accurate and persevering labours on the solar spots will at all times be memorable in the annals of the physical history of the sun. The methods adopted for reducing and tabulating the observations of the spots in their various phases deserve to be a model for future efforts. The influence which the varying distance of Jupiter may have upon these outbursts of solar activity, and the reactions which these in their turn may have upon the meteorological condition of our own atmosphere; the apparent alternate expansion and contraction of the limiting parallels between which the spots are formed, and the curious drift in the strata of the photosphere which contain them, are among the interesting questions more or less briefly referred to in the volume before us, and the determination of which is necessary to the elucidation of Mr. Carrington's question, 'What is the sun?'"

"In connexion with these phenomena in the solar envelopes, we may refer to the discussions which have taken place at the meetings of our Society, and to two papers of Mr. Dawes, relative to the telescopic appearance of the solar photosphere. A question has arisen whether the general appearance of the photosphere is that of a flocculent precipitate, as suggested by Sir John Herschel and assented to by Mr. Dawes; or whether it more nearly resembles a willow-leaved crystalline precipitate of detached particles, as originally described by Mr. Nasmyth and confirmed by Mr. De la Rue and another. The question is remarkable, and worthy of the attention of observers possessing adequate optical means, not only on account of its important physical bearings, but as showing the extreme difficulty of a determination on which observers so eminent are found to differ."

The August meteors, the phenomenon known of old as "the tears of St. Lawrence," were particularly abundant and conspicuous in 1863. The 10th of August is the day on which the most brilliant display takes place. At Taunton 200 of these meteors, some of them of considerable brilliancy, were seen within the space of a quarter of an hour or twenty minutes. They appeared to run in two parallel lines on either side of the Milky Way, the one from the direction of Perseus towards Capricorn, the other from near Auriga towards Ophiuchus and Scorpio, those in the first direction being the more numerous, probably in the proportion of three to one. At the meeting of the British Association a report on luminous meteors, by Mr. Glaisher, was read. It appeared that observations on the August showers were made at Greenwich, Cambridge, London, Portsmouth, Hastings, and at several other places in the south and east of England, for the determination of the heights and velocities of the shooting stars of this epoch. The correspondences among the observations were numerous, and five meteors were singled out which admitted of being subjected to exact calculation. The heights of these five at their appearance were respectively, 70, 114, 131, 105, and 79 miles; at their disappearance respectively, 50, 73, 66, 52, and 58 miles. Their velocities were respectively, 35, 36, 75, 41, and 38 miles per hour. It was calculated that it would require a globe of flame more brilliant than that of ordinary sheet-lights, of four or five feet in diameter, to dispense the powerful light of any of these shooting stars. The stream attained its maximum between the hours of ten and twelve p.m. of the 10th of August, and was comparatively insignificant on the previous and succeeding evenings.

New asteroids continue to be discovered. The 75th, named Eurydice, and the 77th, named Friga, were observed by Mr. Peters, of Hamilton College Observatory.



A 79th was observed by an American, Mr. J. C. Watson, director of Ann Arbor Observatory.

A new variable star has been discovered by Mr. Norman Pogson, the newly-appointed government astronomer at Madras. It is of the 9th magnitude, and in the constellation Scorpio. It was first observed on the 20th of May in a spot where no star had been seen in the months of April and May during the last nine years. At first it was supposed to be one of the minor planets, but a series of micrometrical measures of its position with respect to other stars near it, made the same night, established its fixity, and revealed its true character. On the following night it was decidedly less bright, and by the 28th it had diminished to less than the 12th magnitude. Strong moonlight then interfered with the observations, but on the night of June 1st, during the darkness caused by the total eclipse of the moon, it was again looked for, but was no longer visible. Only three other stars are known, discovered respectively by Mr. Hind, Mr. Baxendale, and Herr Auwers, whose appearances and disappearances take place so suddenly.

Observations made by M. Krüger with the Bonn heliometer upon the parallax of stars tend to show that the brightest and most conspicuous stars must not be assumed to be those which are the nearest to us. Thus the parallax of  $\delta$  Cygni and  $\alpha$  Lyrae, two of the most brilliant stars, has been found to be much less than that of 61 Cygni, an almost invisible double star, which, according to Sir W. Herschel's estimates, would have been about twelve times more distant.

A curious discovery was made in the early part of the year at Soho, the residence of Mr. Boulton, the celebrated manufacturer, of pictures produced apparently by some photographic process. Two of these pictures were on silver plates, about seven inches by four in size, and several were on paper, being reproductions in monochrome and colour of pictures by Benjamin West, Angelica Kaufmann, and other artists. Further research brought many particulars to light, and amongst the books and papers belonging to Mr. Boulton which had long lain unheeded references were found to the production of sun-pictures. A camera was also discovered, some twelve inches cube, made of oak, roughly fitted with a lens of  $2\frac{1}{2}$  or 3 inches' aperture. It appears that experiments in photography were made as early as 1780 by several persons, and that considerable success was attained by some. That Sir Humphrey Davy and Thomas Wedgwood attempted the process has been long known, but they found no means of fixing the pictures obtained. The experimenters at Soho must have surmounted this difficulty, and a brisk trade in picture-copying seems to have been carried on in 1781. It is believed that a good many of these pictures must still exist in the hands of owners who are unaware of their nature. Considerable numbers appear to have been furnished to a Society called the "Polygraphic Society," which sold them. The invention came to a strange end. Sir William Beechey, the painter, went to Soho to paint Mr. Boulton's portrait. He there saw specimens of the sun-copies, and their nature was explained to him. Sir William, alarmed at a discovery which he imagined calculated to destroy the painter's occupation, exerted himself to obtain the suppression of the manufacture. The Government of the day was induced to take an interest in the matter, and a pension was offered to Eginton, the workman, who was apparently either the inventor or the most able practitioner of the process. This pension was objected to by Boulton and was not conferred. Boulton, however, was induced to put an end to the production of the pictures, and means were taken, by erasing entries in books and destruction of memoranda,



to efface all record of the invention. Such, at least, are the inferences drawn from the investigation of the facts hitherto. No reasonable doubt appears to exist that the specimens produced are real sun-pictures of the epoch named, although, when first brought to the notice of the scientific world, some incredulity was expressed as to their genuineness.

The thirty-third Congress of the British Association for the Advancement of Science took place at Newcastle, the proceedings commencing on the 27th of August; twenty-five years before, the meeting had been held in the same town. The President for the year was Sir William Armstrong, who, in his opening address, reviewed the progress of science and invention since the last Newcastle meeting, and discoursed eloquently upon a subject of peculiar local interest, coal and the coal-fields of Britain, and particularly upon the enormous waste of that material which now goes on. The quantity now underground which might be considered available was estimated at 80,000 millions of tons, which at the present rate of consumption would be exhausted in 930 years, but with increase of consumption might only last 212 years. The possibility and necessity of economizing, both in manufacturing and domestic consumption, was developed at length. Sir W. Armstrong noticed the dynamical theory of heat as probably the most important discovery of the present century, but mentioned that in the works of Lord Bacon, and even of Aristotle, some hints of the connexion of heat with motion might be found. The bearing of this theory upon the science of gunnery was briefly touched. In reference to the great use now made of the art of telegraphy, and the facilities for the interchange of thought, which so remarkably characterize the present age, the advantage of stenography or shorthand writing was discussed. The Darwinian theory and its opponents were passed in review, and a dispassionate spirit in the pursuit of truth was recommended as the only one that can lead to solid results.

The following is a list of the Sections and their respective presidents:—

| Sect.  | Presidents.                       |
|--|-----------------------------------|
| A. Mathematical and Physical Science . . . . . | Professor W. J. Macquorn Rankine. |
| B. Chemical Science . . . . .                  | „ Alex. W. Williamson.            |
| C. Geology . . . . .                           | „ Warrington W. Smyth.            |
| D. Zoology and Botany . . . . .                | „ Balfour.                        |
| Subsect.                                       |                                   |
| D. Physiology . . . . .                        | „ Rolleston.                      |
| Sect.  |                                   |
| E. Geography and Ethnology . . . . .           | Sir Roderick I. Murchison.        |
| F. Economic Science and Statistics . . . . .   | William Tite, Esq., M.P.          |
| G. Mechanical Science . . . . .                | Professor Willis.                 |

The number of registered members and associates who attended the meeting was 3356, and the sum contributed for the advancement of science was 3600*l*. More than 300 papers were put in to be read. It would be useless to do more than indicate the heads of some of the more important subjects treated.

Under Section A, such subjects as the sun's spots, the changeable colour of stars, optical phenomena, the topography of the moon, spectrum analysis, telegraphic contrivances, luminous meteors, magnetism, weather forecasts, balloon observations, rain-gauges, barometers, and the electrometer were treated, and many important communications were read.

Under Section B, many technical processes were described; the subjects of

most general interest being, perhaps, gun-cotton, the use of disinfectant fluids, and the metals aluminium and thallium. A paper on aluminium, by Mr. J. L. Bell, Mayor of Newcastle, described the progress made in producing this valuable metal, and the extensive use now made of it in the arts. "A large amount of the increased activity of the manufacture referred to is due to the exceeding beauty of its compound with copper, which is so like gold as to be scarcely distinguishable from that metal, with the additional valuable property of being nearly as hard as iron." A visit to Mr. Bell's aluminium works was one of the local treats of the assembled savants. Mr. Crookes, the English discoverer of the new metal thallium, gave a most interesting account of the mode of obtaining it in large quantities from the flue-dust of pyrites burners, in arriving at which great difficulties had to be overcome. A little reduction in the price of this substance would enable it to be employed advantageously for ships' signals, the combustion of its salts producing a green flame of extraordinary intensity.

In Section C, the President, Professor Warrington Smyth, delivered an admirable address, of which the coal-fields of the district, and the coal-strata generally, naturally formed the principal theme. On the popular subject of geology a long series of important papers was read. Those on the gravel-beds of St. Acheul, by Professor Phillips, and on the alluvial accumulations in the valleys of the Somme and of the Ouse, by Mr. Godwin-Austen, were the subjects of animated discussion, as connected with the now much-debated question of the antiquity of man.

In Section D, Professor Balfour in his opening address adverted to the connexion of the subjects of the Section Zoology and Botany with geology, and remarked upon the important place natural history is now assuming in general education. The possession of University honours is now connected in a certain degree with a knowledge of nature; and a master of arts, as well as a doctor of medicine, is supposed to know something of the objects in the material world with which he is surrounded.

In Subsection D, devoted to Physiology, Professor Rolleston commented amongst other things upon the question of vivisection, and defended the practice, when undertaken for the ends of science, as ultimately productive of more benefit than pain.

The topics treated under this section and its subsection included such miscellaneous matters as dredging explorations on the coast of Scotland, the colour of salmon, the eggs of birds, the ventilation of barracks in India, instinct, the cultivation of cinchona, the lacustrine fauna of North Africa, the anatomy of the chimpanzee, the hand of the gorilla, the geographical distribution of animal life, a whiting with three eyes, the means of passing unharmed through noxious gases and vapours, the appearance in England of the Chinese sand-grouse, the effects of bromide of ammonium, the physical geography of the Malay Archipelago, and the existence of germs of life in the atmosphere.

Section E included the extensive subjects of geography and ethnology. The President, Sir Roderick Murchison, adverted to the yet unfinished state of the Government maps of the British Isles, and reviewed the recent important geographical discoveries, particularly those of which the merit is due to Englishmen. The discovery of the source of the Nile by Captains Speke and Grant formed a prominent feature amongst these.

Papers were read on the commixture of races of men as affecting the progress of civilization, on anthropological classification, on an international transit route through Central America, on the mental character of the negro (this paper

excited warm discussion, and an exhibition of feeling not purely philosophical, shown in hisses and counter-cheers), on the craniology of South American nations, on the extinction of races, on lacustrine habitations in Wigtonshire, on varieties of man in the Malay Archipelago, on the origin of gypsies, and on a list of the stone age on the coast of Elgin.

Under Section F, the vital statistics of an European army in India, the decrease of the agricultural population of England, Durham University, mortality in Lancashire in 1863, transportation in connexion with colonization, the effects of recent gold-discoveries, the military budgets of France and England, the Irish and English poor-laws, and the volunteer force, were the chief subjects treated of.

In Section G, many new mechanical contrivances and improvements were brought forward. A report upon the application of gun-cotton was received with great interest, and was thought likely to lead to some practical and useful results.

The meetings of the British Association have long assumed an important place in scientific annals. Derided at first as idle gatherings of sciolism, they are now seen to be productive of solid results, and it is admitted that philosophers need not cease to be profound, if they sometimes assume holiday costume.

The solar spectrum continues to be the object of investigation by chemical explorers, and new discoveries are ever presenting themselves. Professor J. P. Cooke states that his instrument shows at least ten times as many lines as are given by Kirchhoff in his chart, and an infinitude of nebulous bands just on the point of being resolved. Thus the line marked D shows nine lines and a nebulous band. Even with these magnificent means, which go far to prove that the lines in the solar spectrum are as innumerable as the stars of heaven, the coincidence between the bright lines of the metallic spectra and the dark lines is perfect. Thus while the two members of the sodium line were spread so far apart that  $\frac{1}{1000}$ th part of the intermediate space can readily be distinguished, the coincidence between the sodium band and the two dark Fraunhofer lines is absolute. Many of the bands of the metallic spectra are broad coloured spaces, crossed by bright lines. This is the case with the orange band of the strontium spectrum, and with the whole of the calcium and barium spectra.

M. J. P. Jouvin, chief medical officer of the French navy, and professor of chemistry to the Naval School of Medicine at Rochefort, propounds a new method of preserving iron-plated and other vessels and metallic articles from oxidation, and for preventing ships' bottoms from fouling. The invention consists in lining the inner surface of ships' sides and bottoms perfectly scoured with sheets of zinc applied directly against the sheet iron, or with zinc paint when the metal itself cannot be used. The exterior is protected from the deposit of marine shells and plants by a coating of poisonous paint, or rather one which, when brought in contact with the sea-water, produces by chemical reaction the poisonous cyanide of mercury, in the shape of chloro-cyanide of mercury and sodium. The smallest particle of this is sufficient to destroy all animal and vegetable life that is brought into contact with it.

A new method of healing epilepsy and some other kindred diseases is proposed by Dr. John Chapman. The means suggested are extremely simple, mere cold and heat applied in various ways and during different lengths of time, separately, alternately, or combined. M. Brown-Séquard's theory of epilepsy is, that the fit is preceded by irritation of those branches of the sympathetic

nerve which supply the head, giving rise to pallor and contraction of the central blood-vessels and temporary deprivation of arterial blood to the brain, which it is assumed deprives that organ of its functions. Hence it becomes necessary to exert a curative influence over the sympathetic nervous system, to the extent of the distribution of its vaso-motor nerves through the paralyzed limb. In exciting these vaso-motor nerves the arteries are made to contract, while by diminishing their influence the arteries dilate, and it is upon an application of this principle that Dr. Chapman's treatment depends.

The discovery of several new metals from spectrum analysis has been announced. One of these has been named *Indium*, another, discovered by M. Bahr, was named by him *Wasium*. A French chemist, M. Nicklès, however, contests the fact of this being an independent metal, and contends that it is but yttrium containing a little didymium or terbium.

A new vegetable reagent of great delicacy has been discovered by M. Goppels-roeder of Bâle, who states that paper tinted with the extract of the petals of the mallow may be used in the same manner as litmus or carcuma. The alkaline bases render this paper violet when the solutions are diluted, and green when they are concentrated. The presence of one ten-millionth part of caustic soda suffices to colour the reagent violet, and the alkaline nitrates furnish the same result.

During the summer a captured sturgeon was safely housed in a tank in the Zoological Gardens, where his life and habits became a favourite subject of observation with naturalists. Several attempts were made to induce freshly caught porpoises to share the sturgeon's tank, but the unfortunate porpoises soon died, apparently from the effects of the journey which they necessarily had to perform over land from their native element.

Scientific balloon ascents have been numerous. Messrs. Glaisher and Coxwell have repeatedly ascended, and many curious results have been obtained by these intrepid observers. On one occasion a railway train was heard at the height of three miles, and another even at four miles. These are the greatest heights at which sounds have been heard.

Among the valuable horticultural acquisitions made by Mr. Fortune in Japan is the male plant of the *Aucuba Japonica*, of which the female has long been known in England. Some specimens of the male are announced by him in his recent work to be now flourishing in the London nursery gardens, and we may shortly expect, after many years of sterility, to see the numerous female plants covered with clusters of red berries, an ornament for which they are greatly prized in Japan, but which has hitherto been unknown on British soil.



# CHRONICLE.



## PART II.

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### CHRONICLE

#### OF REMARKABLE OCCURRENCES

IN 1863.

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#### JANUARY.

1. ACCIDENT TO THE PRINCESS ALICE.—As Her Royal Highness the Princess Alice, accompanied by the Hon. Mrs. Bruce, was passing in a phaeton through Broadlands, a suburb of Newport, Isle of Wight, the phaeton came in contact with a cart and was completely overturned. Princess Alice escaped with slight bruises on her left arm, and Mrs. Bruce with scratches on the hands. They returned to Osborne in the course of an hour, and were both quite well next day.

3. DESTRUCTION OF THE SUNNYSIDE WORKS, SALFORD.—At midnight, a fire broke out in the bleaching and finishing works of Mr. Henry Statham, late Messrs. Thorpe and Statham, Sunnyside Works, Ordsal-lane, Salford. These works are very extensive; they comprise a four-story mill, measuring in length about 180 feet, and two-story finishing, pressing, and packing rooms. The mill runs down to the bank of the Irwell, and is hugged on both sides by large mills. No work had been in operation during the day, which, being New Year's Day, is customarily a holiday. On the appearance of the fire a messenger was despatched to the Salford Town-hall for the fire-engine, and before its arrival a large number of men voluntarily entered the burning building, and the houses in the neighbourhood were stored with the goods that were saved. The mill was an old one, and was filled with a very valuable stock, business having been exceedingly good, and all the hands being in constant employment. The fire made rapid progress, and before the arrival of the fire-brigade had obtained a complete mastery of the building. The floors burnt through in rapid succession, a loud report marking the moment that each story gave way. The roof seemed to be burnt through in sections, and as each portion fell, pillars of fire and smoke shot up into the heavens to great heights, illuminating the district by

the fierceness of their glow, and people in streets a considerable distance off shrank before the intensity of the hot breezes that were borne on the wind. The Salford Fire Brigade, under Mr. Superintendent Atherton, worked heroically. The men scrambled up the roofs of the adjacent building, and, standing upright on the stone window-sills of rooms in an adjoining mill which had caught fire, directed jets of water upon the flames. Masses of burning ruins fell into the midst of groups of firemen who from the ground were directing streams of water upon the interior of the building, and great apprehensions were at one time excited for the safety of some men who had penetrated into the engine-room, and who, with flames on every hand, stood with the utmost coolness, stand-pipe in hand, playing on the burning mass. A large quantity of burning ruins fell while the men stood in the position described, and completely obscured them for a moment from sight, but when the smoke cleared away they were seen to be standing in the same position, and apparently unhurt. The mill, which was burnt up to the wall of Mr. Statham's, was occupied by Mr. Billington, and was used for the manufacture of small wares. One end caught fire, but the damage will be, comparatively speaking, slight. There was a large police-force on the ground to keep the crowd in order, and as there were many drunken men, the police had plenty of work. The total damage was upwards of 20,000%.

5. FEARFUL DEATH OF A MILLOWNER.—An inquest was held at the Shepherd and Flock, Farnham, before Mr. C. J. Woods, coroner for Surrey, on the body of Mr. Thomas Simmonds, aged forty-five years. Deceased was the owner of Bourne Mill, and went into the mill to examine the state of the wall, which had been injured by a quantity of water that came from the top. Having lighted his lamp, he was making his way to that part where the water-power works were, and for that purpose had to cross over a lathe which connects both the water and steam power. It appears that rather more than twelve months ago, two pieces of iron were put on to strengthen a portion of the works; these were secured by screws, the ends of which projected, and in one of them the bottom part of the jacket which deceased wore, caught, and in an instant he was thrown into the machinery and whirled round at the fearful rate of sixty times a minute. The miller heard a jumping in the machinery, and, feeling satisfied that something had happened, he ran upstairs and stopped the mill, after which he went into the house of the deceased for his son, who was immediately on the spot. Further assistance having been obtained, the unfortunate man was got out, but not before the whole of his clothes were obliged to be cut off. Mr. Clarke, surgeon, of Farnham, and his assistant, were promptly on the spot, and every assistance rendered, but Mr. Simmonds expired at a quarter past eleven o'clock, the accident happening a little before eight. The head was found to have no less than twelve cuts at the back, which was fractured in four places, and a portion of the



skull driven in on the brain. There was a slight scratch on the face, and on the left leg there was a frightful gash; but considering the time he was in the awful position in which he was found, Mr. Clarke said he was quite astonished to find that the injuries to the body were not more severe. The jury, after remarking on the melancholy nature of the case, returned a verdict of "Accidental Death." The deceased, who was a man of considerable means, left a widow and ten children.

6. GREAT FIRE AT PLYMOUTH.—A fire broke out in an isolated block of buildings at Plymouth, consisting of an hotel, assembly-rooms, and a theatre. The site occupies more than an acre, and the buildings were erected by the Corporation at a cost of 50,000*l*. During the performance of the Christmas pantomime on the night of the 6th inst. at the theatre, at which there was a crowded audience, there was a strong smell of fire, and some uneasiness was in consequence displayed; but confidence was restored after a strict examination of every part of the building and a declaration that the supposed smell of burning timber arose from a piece of burning wood from a fire in one of the apartments of the building. The performances were brought to a close, and the audience left in as merry a mood as could be wished. After the house was clear, on a suspicion that a smell of fire still existed, the manager, Mr. Newcombe, his son, and others again went over every part of the premises, and the house was left under the assurance that all was right. Not long afterwards, however, the alarm was given of the outbreak, which showed itself by the smoke making its way into the apartments of the Royal Hotel, adjoining the theatre. The police and the agents of the fire-offices having engines soon received intelligence of the occurrence, while signal-guns from the citadel and the guard-ship in Hamoaze aroused the military and naval authorities. The fire-engines immediately attended, but the fire-plugs could not be got up for want of the keys, and the military, though turned out, were kept at "stand at ease" till an official request was made for their attendance. At last a detachment of Royal Marines, under the command of Colonel Clavell, arrived with the barrack fire-engine, followed by a detachment of the 73rd with an engine from the citadel, under the command of Major Wood. The 32nd Light Infantry also sent a detachment, accompanied by Major Clapcott. A large party of the Royal Artillery and Engineers were also present, as was also Brigade Major Keith. The naval brigade was accompanied by Captain Vesey, of Her Majesty's ship "Royal Adelaide." The Mayor, superintendents, and a strong body of police were early on the spot. The other engines in attendance were the West of England (which arrived first), the County Fire, and the South Devon Railway—making about seven in all. The fire meanwhile had raged furiously, threatening the hotel, the inmates of which were aroused and escaped. A little before one o'clock flames had spread to the ball-room, and in a short time the whole of this splendid room was doomed. At a quarter past one

the roof of the beautiful portico fell in with a tremendous crash, and a dense volley of smoke and sparks shot up from the lurid mass. From that time huge rafters all aglow kept falling. In a short time the card-room and the assembly-room of the hotel were destroyed, and, with a rising wind, the whole building seemed doomed. But by three o'clock the firemen had got the mastery, and by about ten o'clock in the morning the fire was completely subdued. This alarming fire was attended with comparatively little damage. On an inspection of the premises the body of the theatre was found to be but little damaged by fire, the loss being confined to the vestibule, staircases, refreshment and property rooms. Between the theatre and the Royal Hotel were the assembly-rooms. Of these, the building which immediately joins the theatre, and contained the staircase leading to the ball-room, a handsome billiard-room on the ground floor, with a large card-room over, and ample cellars beneath, nothing remains but the bare walls, the fire having raged here with the greatest violence. From this building the hotel is separated by another large building, containing on the ground floor the tea-room, and on the first floor the ball-room, with wine and spirit cellars on the basement. Here the fire caught the roof, about a third of which is destroyed, carrying with it also in its fall destruction to about a third of the ceiling and of the flooring of the ball-room. The remaining portions of those rooms are almost intact. To the east of this building is the Royal Hotel, the business-rooms of which the fire did not reach. Some of the upper bed-rooms suffered, however, in the exertions made to extinguish the adjoining fire. This fire, therefore, although it occasioned great inconvenience to the lessees of the hotel and theatre, in neither instance peremptorily suspended business for any length of time. The hotel business continued without interruption, and the theatre was reopened after a very short interval.

— COLLISION AND FOUNDERING OF THE "LIVERPOOL" AND "LA PLATA."—The London and Liverpool steamer "Liverpool" and the barque "La Plata," bound to Lima, were lost, through coming into collision off Point Lynas, in St. George's Channel. Happily not a life was lost, both crews having time to lower the boats and get away before the vessels went down. The subjoined depositions of the master of the "Liverpool" and of the chief officer of "La Plata" were taken on oath:—

Captain Wm. Charlesworth, master of the "Liverpool" steamer, stated: "We left London on the 30th of December. The steamer was brigantine-rigged, 480 tons gross register, and belonged to Messrs. T. A. Tamplin and Co., of Liverpool. She was iron-built, and classed in Lloyd's register. Her crew mustered twenty-three hands, and there were three passengers. We called in at Plymouth and Penzance, and at 10 p.m. of the 6th we were off Point Lynas, which bore S.S.E., three-quarters of a mile distant, the wind blowing fresh from the S.S.E. The steamer's course was S.E.

by E., when a light was seen right ahead, about half a mile distant. We ported our helm, which put her head S.E., and in about four minutes afterwards the helm was put hard aport, until her head was S.S.E. The other vessel (which proved to be 'La Plata,' from Liverpool) starboarded her helm; and, seeing that a collision was certain, I stopped and reversed the engines full speed. We had stopped her way, and the engines were reversing, when the barque struck us on the port midships with great force. Finding we were fast sinking, we got the boats out, and had the passengers and crew safely put into them. Soon afterwards she went down. We were picked up by a schooner, and landed the next morning at Holyhead."

Mr. Enos Faulkener Mackintosh, chief officer of the barque "La Plata," who was in charge of the watch at the time of the collision, stated: "The ship was bound to Lima, with a general cargo, consigned to different merchants in Peru. She was built of iron, 275 tons register, and the owners were Messrs. Imery Tomlinson, at Liverpool. We left Liverpool on the 6th, at 9.50 p.m. On that day the ship was lying three miles off Point Lynas, bearing S.S.W.; the weather was hazy, with a fresh breeze from the N.E. The course we were steering was N.W. by W, when a light was seen right ahead. At first it seemed to be a fixed light, and we expected it was that at the Skerries. About two or three minutes after ten o'clock we saw the light a little on the starboard bow, as also a green light, which proved to be the steamship which had recently crossed the barque's bows, and immediately starboarded the helm a little, and directly I had done so I saw the steamer's three lights and her red and bright light. Seeing a collision was inevitable, if not quickly prevented, the helm was put hard aport. After this was done some person in the steamer shouted out to me to port the helm, but in another minute the vessels came into collision, the barque's bow striking the steamer in the main chains. The barque's fore compartment was stove, and immediately filled. We took to the pumps and endeavoured to keep her afloat, but she sunk about ten o'clock in the morning. We were picked up in our boat by a steamer."

Captain Pearson, of "La Plata," estimated the value of her cargo (chiefly general goods) at 30,000*l.*, and the ship at 5000*l.* Captain Charlesworth valued the "Liverpool" steamer at 20,000*l.*, and her cargo at 40,000*l.*

8. DEATH OF A SERVANT THROUGH WEARING CRINOLINE.—Mr. Payne, coroner, held an inquiry at St. Bartholomew's Hospital, respecting the death of Mary Scannell, aged sixteen. Mrs. Tweeland, 20, Bartholomew-close, said that deceased was engaged in removing the Christmas decorations from over the mantelpiece. A branch of holly fell inside the fender and blazed up, setting fire to her crinoline, which was extended by means of steel hoops. The hoops prevented her gathering her clothes together, and her efforts to extinguish the flames only caused them to burn more

fiercely. In her terror she ran downstairs into the yard, where several persons, attracted by her shrieks, came to her assistance. Mr. Humphreys, house-surgeon, said that the deceased was brought to the hospital on a shutter, still burning. Her injuries were fearful, her body being completely charred, except where the stays afforded a slight protection. The coroner having summed up, the jury returned a verdict "That deceased was burnt to death by misfortune."

— SERIOUS ACCIDENT ON THE GREAT NORTHERN RAILWAY.—An accident of an alarming and destructive character occurred near the railway station at Knottingley. At a distance of about 200 yards from the Knottingley station there is a junction of two lines of rails, one of them being from York and the other from Leeds. Parliamentary trains leave York and Leeds for London every morning, arriving at the Knottingley station, where they form one train, at half-past eight o'clock. Up to about ten minutes past eight o'clock a.m. the weather was fine and clear, but at that time it became suddenly foggy, and at half-past eight o'clock, the time at which the trains were due, the fog was so dense that it was impossible to see more than a few yards. It was at that time that the accident happened. At about 130 or 140 yards from the station there is a bridge spanning the rails, and immediately beyond this there is a pointsman's and a signalman's box. The junction of the lines referred to is some thirty or forty yards beyond, and at some distance down the lines there are signals by which the drivers of the trains are informed whether they can with safety approach the station. Whether the signals were wrong, or whether the drivers of one or both the trains were negligent in their duties in not properly observing them, or whether, in consequence of the dense fog which prevailed, the signals were misunderstood, did not clearly appear; but, at all events, the train met with an accident of serious consequence to the company and to several of the passengers. The two lines of rails are joined into one at the distance of a few yards from the pointsman's box, and it was just at the junction where the accident occurred. As was perfectly regular, the Leeds train proceeded towards the station first, and in the usual course the York train would have been signalled to approach when the line was clear, but unfortunately it ran forward before its time, became entangled with the Leeds train, and caused serious mischief. Neither of the trains was moving very rapidly at the time, or the consequences would have been most disastrous. As it was, when the carriages came into collision two or three of them were thrown off the line, and two of them were turned over and smashed. One of these carriages was empty, but several of the occupants of the other were very seriously injured. The screams of the injured and frightened were most alarming. One man, Mr. Leatham, of Higham Ferrers, attempted to escape from the carriage, but in doing so his leg was jammed between it and a



stout signal-post. Just at the point where the leg was caught there was an iron lever and other arrangements for the working of the signals above, and a small projecting iron ledge on which the lever rested was crushed into the leg in a frightful manner. A woman named Mrs. Robinson, of Hull, was also caught between the compressed timbers, and was rather severely injured. The driver of the Leeds train, whose name is Knapton, attempted to save himself from injury by jumping off the engine, but he unfortunately broke his leg. The stoker, who remained on the engine, escaped without injury. In addition to the smashing of the carriages, the line was injured to a slight degree, and the levers of the signal and that connected with the points were broken. The brickwork of the signal-station was also much damaged, but the accident did not, fortunately, interfere with the traffic on the line. As soon as the accident happened, Mr. Abbott, the station-master, sent for all the medical men in Knottingley, and for as many as could be had from Pontefract, and then proceeded to see to the comfort and convenience of the injured passengers. About thirteen more or less seriously hurt were removed to the neighbouring hotels, where every attention was paid to them. They were told that every thing which the hotels could provide was at their service, and for those who wished it telegrams of the occurrence were forwarded to their relatives and friends. The medical men were unremitting in their attention to the requirements of the wounded. In the afternoon, Mr. Beckett Denison, the chairman of the company, went to the scene of the accident, and ordered that the sufferers should have every thing they required, and that no expense should be spared.

9. OPENING OF THE METROPOLITAN RAILWAY.—The inaugural ceremony connected with the opening of this railway was celebrated by an experimental trip and a subsequent banquet at the Farringdon-street station. It is now eight years ago since the first practical steps towards the realization of the idea, the success of which was thus honoured, were taken, and to the late Mr. Charles Pearson, the solicitor for many years to the Corporation of London, belongs the credit of first originating it. The early struggles of the company were enormous, and more than once the scheme was almost abandoned as hopeless. Perhaps it would have been abandoned for ever had it not been for the well-founded and universal outcry at the impediments to circulation in London arising from the mighty tide of traffic passing through it. It was this consideration that induced the Corporation of the City to subscribe 200,000*l.* towards the line, and this support, with the aid of the Great Western and Great Northern Companies, enabled the present company to begin the work with a fair prospect of success. Even then the preliminary difficulties were only overcome. There remained the great and novel task of burrowing under ground for between three and four miles, of undermining streets and houses, of working in the midst of water-pipes, gas-

pipes, sewers, mains, and ditches. Those who may use the line will never be able to appreciate, from what they see, the vast labour and the stupendous resources which were exerted in this part of the undertaking. The engineers and contractors alone can have an adequate conception of the difficulties which were encountered in this underground world of London. The Fleet ditch had to be crossed four times, and the bursting of that formidable barrier after heavy rains during the progress of the works was one of the causes which delayed the opening of the line so long.

The preliminary trial was made on the 9th inst.; trains, bearing about 650 invited passengers, started from Paddington about one o'clock and proceeded along the line to Farringdon-street, inspecting the various stations on the way.

At the Farringdon-street terminus a banquet had been prepared, and was partaken of by the guests. It was held in a large room, specially erected for the occasion, adjoining the station, was 250ft. long and 50 wide, and constructed to accommodate 700 persons, for which number tickets were issued. It was lined throughout its entire length with red and white cloth, and banners of all nations were suspended from the ceiling and side walls. The bands of the City police were in attendance, and as the trains came into the station they struck up some enlivening airs. Amongst those present were the chairman of the company, Mr. Wilkinson, who also presided at the dinner, Lord Harris, the Lord Mayor, M.P., Mr. Lowe, M.P., Mr. W. Wood, M.P., Mr. Ayrton, M.P., Sir S. M. Peto, M.P., Mr. H. Lewis, M.P., Mr. S. Beale, M.P., Professor Owen, Sir Rowland Hill and Lady, Colonel Sir J. Hamilton, Bart., Mr. Malins, M.P., Mr. Sheriff Jones, Alderman Sidney, M.P., and others. Several interesting speeches were made, some of them containing valuable information in connexion with the railway. Mr. Fowler, the engineer of the company, in replying to a toast, referred to the early struggles of the promoters of a metropolitan line; he said it was at first contemplated to work the trains by atmospheric traction; but, having to consider that system, he reported against its adoption. The ordinary locomotive could not be used, and it was necessary to have a new one. He prepared the model of an engine that had no firebox and carried no fire, and an engine made upon that model, with some slight modifications of detail, was working on the line. He believed it would be found that it worked with facility, while it gave out no steam and no smoke. The object accomplished, he believed, was worth all the difficulties encountered, and they were not few nor slight; for it would afford not only the means of relieving the traffic of the city of London and connect the railway lines on the north side of the Thames, but would connect the north with the south by means of the London, Chatham, and Dover line. Among the other speakers were Lord Harris, the Lord Mayor, Mr. Lowe, Sir M. Peto, and Mr. Jay, one of the contractors.

The line was opened to the public on the 10th inst., and it was

calculated that more than 30,000 persons were carried over the line in the course of the day. Indeed, the desire to travel by this line on the opening day was more than the directors had provided for; and from nine o'clock in the morning till past midday it was impossible to obtain a place in the up or cityward line at any of the mid stations. In the evening the tide turned, and the crush at the Farringdon-street station was as great as at the doors of a theatre on the first night of some popular performer. Some lightening of the pressure was obtained by the Great Western lending some of their engines and carriages supplemental to the rolling stock of the company. Notwithstanding the throng, no accident occurred, and the report of the passengers was unanimous in favour of the smoothness and comfort of the line.

— FRIGHTFUL CALAMITY AT LOCARNO.—A singular disaster befell the Church of La Madonna del Gasso, which formed the most conspicuous feature of this little town, situated upon the Lago Maggiore. On Sunday, the 9th inst., there was present in that church a great congregation, composed, as is usually the case in this part of Europe, almost entirely of women. The men lounging about the piazza pointed out to one another the enormous quantity of snow which had fallen during the last six days and nights in an almost unbroken column. The landscape glittered in its white covering, and even the buildings of the city looked like a scene in some fantastic play. Suddenly there was a dead, heavy fall. "Evidently," they said, "another distant avalanche;" and then a scream and a murmur of great horror, which spread through the quiet streets. All rushed to the spot, and found a scene which was described as horrible beyond conception. The dome which covered the body of the church had never been cleared of the constantly-falling snow, and the immense weight accumulated was too great for the strength of the worn-out building. The whole dome gave way, and fell on the congregation, then kneeling in prayer. In that position fifty-three female corpses were found after the ruins had been cleared by the intrepid bravery and the untiring labour of the inhabitants. One female, a bride of twenty years of age, named Bono, was alone extricated alive, and was carried to her home, with "some hopes of recovery," but she had broken one arm, and both her legs. One old man alone perished among the fifty-three women who fell victims in this awful ruin. It seems that there must have been great carelessness somewhere, when, after nearly a week's incessant fall, the snow was still left to accumulate on the tottering cupola of a mediæval church. Fifty-three women perished; but we may imagine what would have been the destruction had this catastrophe happened on one of the great festivals of the Church. There would not have been fifty, but five hundred corpses, now recently buried in the Campo Santo of that little town.

15. MELANCHOLY SUICIDE. — This morning, being Sunday, considerable excitement was occasioned throughout the village of Great Munden, Herts, by the report that the rector, the Rev. Henry Dawson, had committed suicide. It appears that on that morning, about ten o'clock, the rev. gentleman had not come down as usual to the breakfast-table, which led the servant to proceed to his room; but, not hearing any response to her call, she became much alarmed, and then obtained the assistance of the manservant, who, by means of a ladder, was able to look through the chamber-window, and then suspected that something wrong had occurred. A messenger was then sent to Puckeridge for Mr. Packman, surgeon; but before that gentleman's arrival the manservant had burst open the door of the room, and lying in the hip-bath he discovered his unfortunate master, sitting upright within it, quite dead. The rev. gentleman had committed suicide by opening the main artery of the arm with his razor, which was found lying open on the ground outside the bath, and his body was perfectly cold, so that he must have committed the act some hours previous to being discovered. On the 17th an inquest was held before the deputy coroner for Herts (Mr. M. L. Longmore), at the Rectory, and after evidence had been given in accordance with the foregoing facts, the jury returned a verdict that the deceased gentleman had "committed suicide while in a state of insanity." The rev. gentleman was greatly esteemed in the neighbourhood, and was particularly benevolent and kind-hearted. He was only forty-two years of age, and was a nephew of the late Sir R. Peel, and the third son of the late Right Hon. George Dawson.

22. THE DESTRUCTION OF LYTHAM LIGHTHOUSE.—Among the many disasters caused by the gales which swept our coasts about this time was the fall of the Lytham Lighthouse, Lancashire. The lighthouse stood on a point called "The Double Stanners," between Lytham and Blackpool, close to the high-water mark. Considerable fear had been entertained for the safety of the erection for some time past, in consequence of the encroachments of the sea on this part of the coast; and many workmen had been engaged in driving piles around its base, more particularly in the front facing the sea. The lights were exhibited for the last time on the evening of Jan. 20. On the night of the 19th the wind was blowing stiffly from the north-east, accompanied by snow and hail; but on the morning of the 20th it veered round to the north-west, and continued to blow in that direction all day. On the next morning it moderated, and again changed to the south-west, whence it continued to blow stiffly until the afternoon of the day following, when the lighthouse fell. The keepers left the building on the morning of the 20th, as they found it was vibrating to a much greater extent than had been previously experienced. When they put out the lights that morning, they found that the framework of the piling in front of



the lighthouse had given way, and that a great portion of the foundation had been undermined by the waves. Information was sent to Preston to the engineer of the Ribble Navigation Company, and soon afterwards it was discovered that the north corner of the masonry was worked out, and the foundation laid bare down to the bottom, below the concrete, there being a large hole filled with water three feet below the foundation. The keepers, with assistance, set to work to get every thing out of the building, except what was absolutely necessary to keep the lights burning. They worked until the rising night's tide surrounded them, and, from the fury of the gale, had little hope that the place would stand until morning, but the lights never burnt more brightly than they did during that evening. On the Wednesday morning, the wind still blowing stiffly, they extinguished the lights for the last time, the tide during the night having made greater havoc in the foundation, and carrying away a part of the south corner. Later in the day they took out the glasses, and all the remaining property,—lenses, reflectors, furniture, and apparatus. By noon the waves had made a further breach into the south corner, which gave way, leaving an excavation like a manhole in the foundation, through which they were enabled to get out the oil from the cisterns in the ground floor. The night's tide on the 21st worked further under the south front of the foundation, which gradually gave way, until the 22nd at noon, when the building fell.

Lytham Lighthouse was seventy-two feet high. It had two fixed lights, the top one being white and the bottom one red. It was built by the Ribble Navigation Company about fifteen years ago.

26. DEATH OF A YOUNG LADY BY FIRE.—A dreadful accident, which resulted in the death of Miss Janet Agnes Burchell, daughter of Mr. William Burchell, solicitor, took place at that gentleman's residence, No. 42, Upper Harley-street. Intimation of the death having been forwarded to Dr. Lankester, the coroner for Central Middlesex, he attended at Mr. Burchell's, and held an inquest in one of the apartments there. From the evidence of Lucy Farnes, housemaid in the establishment, it appeared that she was in the kitchen on the night of the accident, about ten o'clock, when she heard screams from the direction of Miss Burchell's bed-room, which was on the third floor of the house. She at once ran upstairs, and, on reaching the second floor, found the young lady in flames. She and some of the other servants threw two hearth-rugs over Miss Burchell, and the flames were soon extinguished, but not before the deceased had been dreadfully burnt. Dr. Garrod and Mr. Erichson, the eminent surgeon, were sent for, but their services were of no avail. Miss Burchell died at twenty minutes after five o'clock on the following morning. She told the witness that the accident had occurred from a burning coal which fell from the fire-grate and ignited a muslin dress which she was wearing. She was

about to go to bed, and had removed the guard from the fire in her bed-room. The coroner said it had been stated in some of the papers that the accident took place at a ball, and while Miss Burchell was dancing. The witness replied that there was no truth in the statement. Miss Burchell was alone and in her bed-room at the time of the unfortunate occurrence. Emma Morgan, lady's-maid to Mrs. William Burchell, jun., stated that she was in her mistress's bed-room, on the second floor, on the night of the accident, at a quarter past ten o'clock. She heard screams from the third floor, and ran to the door of Mrs. Burchell's room. On opening it she found Miss Burchell standing outside in a blaze. She got a hearth-rug and threw it over her. Dr. Garrod stated that he was called in to see Miss Burchell at about a quarter past ten o'clock on the same night. At that time some of her clothes were still burning. The injuries from the fire were general, and some of the flesh was much charred. Miss Burchell rallied somewhat from the shock ; but from the first there was no hope of saving her life, and between five and six the next morning she sank under an affection of the larynx, caused by her having inhaled the flames from her burning garments. Dr. Lankester said he did not think it necessary to take further evidence. The cause of death was proved ; and Miss Burchell herself had told one of the witnesses the way in which the melancholy accident had occurred. There was nothing in this case to show that the ignition of the unfortunate young lady's dress was owing to the existing fashion of extended petticoats, which was the cause of so many deaths among our countrywomen. But there was evidence that the muslin dress worn by Miss Burchell was in flames when Emma Morgan found the deceased outside the door of her mistress's bed-room. It was greatly to be desired that ladies would require their laundresses to render muslin dresses unflammable by the use of one of those chemical preparations which would render them so, without injuring their appearance, and at a cost so trifling that it was scarcely to be taken into account. A number of letters had been addressed to him on this subject. On that day he had received several ; and one of his correspondents had been good enough to forward him specimens of muslin which had been rendered combustible, and of two preparations, either of which would make it so. One of these was sulphate of ammonia, and the other tungstate of soda. Both were soluble ; and the latter could be purchased at a shilling a pound. A juror asked how much per dress would the use of one of these preparations cost ? Dr. Garrod said a fraction of a farthing. They could be dissolved in warm water, and the dress might be put into the liquid ; or, perhaps, a more convenient mode of using them was to mix them with the starch. Dr. Lankester exhibited several of the specimens of muslin that had been forwarded to him ; and showed by experiment that they would not blaze when applied to a lamp, while specimens of the same material which had not been subjected to the

chemical process blazed like ordinary paper. He hoped that this subject would not be lost sight of. The jury returned a verdict of "Accidental Death." Mr. Burchell, jun., observed that on behalf of his afflicted uncle, the father of the deceased, he had to thank Dr. Lankester and the gentlemen who had served on the jury for the kind and considerate way in which they had carried on an investigation which, under any circumstances, must be a painful one in a house of mourning. The coroner and jury expressed their sincere sympathy with Mr. Burchell and his family. Miss Burchell was twenty-seven years of age.

—SHOCKING COLLIERY ACCIDENT.—A colliery accident happened at Bradley, near to Bilston, which occasioned the almost instant death of three men. At about six in the morning, the deceased, who were miners, got into the tackler-skip to be let down the pit to proceed to their work at the Regent's Croft Colliery, and had descended about twenty-five yards, when the rope suddenly snapped in two, and the men and the cage were precipitated to the bottom, a further depth of about fifty yards. In a short time a descent was made, when it was found that Howell and Davis were lying dead, their bodies being fearfully mutilated at the bottom of the shaft. Kempson was not quite dead, but he had scarcely been brought to the top of the shaft before he expired.

—SERIOUS OCCURRENCE AT THE PRINCESS'S THEATRE.—During the performance of the pantomime the audience at the Princess's Theatre were thrown into a state of painful consternation by the appearance on the stage of an unfortunate ballet-girl whose muslin dress had caught fire at the wing. To add to the horror of this sight, another poor creature, clad in the same dangerous material, rushed forward, with a noble forgetfulness of self, to render assistance in extinguishing the flames, and was in an instant enveloped in fire herself. The name of the first sufferer was Perkins, the second was known at the theatre by the name of Sarah Smith; she was terribly injured, her state, indeed, being hopeless. Both girls were carried off to the Middlesex Hospital. Perkins, although severely burnt, recovered under prompt medical treatment from the injuries she sustained, but the other unfortunate woman, whose real name was Gibson, after lingering a short time in a hopeless state, was released by death from her sufferings. An inquest upon her remains was held by Dr. Lankester, who, in summing up to the jury, thus stated his conclusions from the evidence: "From what they had heard they could not be in any doubt that it must have occurred from the burning of the side lights. He had himself seen the arrangements at the theatre with regard to gas, and he did not think it was possible that the gas could have communicated the fire. They had heard the evidence of the two persons who held the lights, one of whom—the maker of them, Randle—had candidly admitted that the cotton quick-match was liable to splutter, and that therefore it was possible that a spark might have fallen out, as they were using

that kind of match, on to the dress of Ann Hunt. He thought the witness Randle might be believed on his oath that he had not seen any spark fly out of his pan. It was easy to see that when a mass of business was going on in a small contracted space, where upwards of a hundred persons were crowded together, the attention of the witnesses Randle and Aitken would not be particularly drawn to the way in which the fusees were going off. Under these circumstances a spark might have fallen from either Randle's or Aitken's match without their observing it. There was no positive evidence that such was the case, but it was a fair inference. He did not think any criminality attached to their conduct. They were not breaking the laws of their country in any way, but were performing duties which devolved upon them in a reasonably careful and cautious way. If the jury thought they had not performed that duty with due caution, then of course they might be criminated. There were two questions in connexion with the inquiry in which the public were largely interested. He thought it right, therefore, to call their attention to them. The first was with regard to the management of the theatre, and the second with regard to the nature of the dress worn. It appeared from Ann Hunt's evidence that means were used to put out the dresses of the young women employed in theatres when they take fire. Ann Hunt stated that in all other theatres wet blankets were kept ready to put round those on whom fire might have fallen, and that her own life had been so saved at the Surrey Theatre. He had no doubt, therefore, that the jury would think it right to strongly recommend that in all cases where lights are burned such precautions should be taken. Coming, then, to the question of the inflammability of the dresses which these young women wear—and not only these young women, but ladies in private life also, who quite rival those on the stage in the amplitude of their garments—it had occurred to him and others that the only way in which life could be saved was by rendering all dresses of linen and cotton unflammable. Since he had held the office of coroner he had presided over 601 inquests, of which 23 were cases of burning, and of those, 18 deaths had been caused by the clothes taking fire. At least two-thirds of those might have been prevented if a solution of these unflammable materials had been used by the laundress."

The jury gave the following verdict:—"We find that, on the 28th of January, Sarah Gibson, *alias* Smith, died from the mortal effects of exhaustion produced by severe and extensive burns on her body, which burns were produced by her clothes catching fire at the Princess's Theatre, and that her death arose from accidental causes. The jury further wish to express an opinion that sufficient precautions were not taken at the Princess's Theatre to extinguish any accidental taking fire of the clothes of the *corps de ballet*, and also to urge the necessity of rendering all articles of linen and cotton clothing fireproof by the manufacturer and laundress."



30. PAINFUL SUICIDE OF A MAGISTRATE AT WOLVERHAMPTON.—Mr. Charles Clark, who was Mayor of Wolverhampton in 1860, who was a magistrate for Staffordshire and for the borough of Wolverhampton, and a member of the firm of Messrs. T. and C. Clark and Co., enamelled hollow-ware manufacturers and iron-founders, employing about 600 hands, shot himself in his own bed-room. Deceased was upwards of fifty years of age, and leaves a family of five children. Early in life he suffered from a temporary derangement of intellect; and recently he had been under medical treatment for a disordered stomach. In the past few weeks he has displayed little singularities and eccentricities of conduct; but this behaviour, as it was construed into evidences of a little passing vanity, did not at all excite apprehensions as to the soundness of his intellect, especially as it was no bar to his performing his duties as magistrate and alderman, and as one of the active principals of a large manufacturing concern. The day before his death he was in business up to five in the afternoon. The next morning he took breakfast with Mrs. Clark, and then retired to his bed-room. He had scarcely left the breakfast-table before the report of an exploded fire-arm alarmed the household, and Mrs. Clark ran upstairs, where she found the deceased gentleman lying on the floor surrounded with blood, and quite dead. Death must have been instantaneous; for the back of the head was blown away, apparently with a charge from a double-barrelled breech-loading gun that he had brought a few months before from Paris, and the muzzle of which he would seem yesterday to have placed in his mouth.

— DEATH OF THE VICEROY OF EGYPT.—Intelligence was received of the death of Said Pasha, the Viceroy of Egypt. His Highness had for a long time been in very feeble health; and during his stay in this country last summer, to visit the International Exhibition, he was on that account obliged to receive the deputations who sought interviews with him on board his yacht at Woolwich, where he remained the greater portion of the time he resided in England. He was the fourth son of Mehemet Ali, was born in 1822, and succeeded in July, 1854, to the Viceroyship, on the death of his nephew Abbas Pasha, in virtue of an ordinance issued in 1841, which declares the Government of Egypt to be hereditary in the family of Mehemet Ali. His mother was a Circassian, who, having no other children, devoted herself wholly to his education. After receiving all the instruction which accords with Turkish educational ideas, he went through a course of European studies, under the direction of French professors, and especially of Kœnig Bey, a learned Frenchman in the service of the Egyptian Court, and who, on the accession of Said Pasha, was appointed Confidential Secretary. Notwithstanding the aptitude of the late Viceroy for intellectual pursuits, his vigorous temperament led him to give the preference to active employment. Destined for the naval service by the express desire of his father,

he was created Grand Admiral of the Fleet, and resided in that capacity in the Palace of Gabbari, near Alexandria, at the period when he was elevated to the throne by the sudden decease of Abbas Pasha. Three days afterwards he assumed supreme authority at Cairo, despite some slight indications of resistance on the part of Elfi Bey, the head of the old bigoted party. He afterwards went to Constantinople to receive the investiture of the Sultan. The new Viceroy was enabled to gain the friendship and confidence of all the most influential members of the Divan, and gave decided proofs of devotion and fidelity towards his sovereign. On his return to Egypt he armed a body of 10,000 men, whom he put under the command of Menikli Pasha, and who took an honourable part in the expedition to the Crimea. As regards the internal affairs of the kingdom, the government of Said Pasha was on the whole progressive. He undertook on several occasions journeys of inspection in the different provinces, more particularly in the Soudan in 1856, which were followed by the removal of certain abuses, the introduction of various improvements in the administration and the assessment of imposts, and of various works of public utility, either completed or commenced. The schools and scientific establishments on the European model, which had been abandoned in the preceding reign, received a fresh impulse under the authority of the Viceroy. The damming of the Nile, commenced by Mehemet Ali, was continued by Said Pasha, who also gave the sanction of his patronage to one enterprise of a very different character—viz., the Lesseps scheme for cutting the Isthmus of Suez, which His late Highness endeavoured to promote by all the means at his disposal.

DEATHS OF CENTENARIANS.—There were several deaths in this month of remarkable centenarians, three of the oldest being natives of Ireland. Cornelius Hackett, aged 108 years, died in the city of Armagh, possessed of all his faculties. He was born on the property of Lord Charlemont, in the county of Tyrone; and when the French landed at Carrickfergus, in 1760, he accompanied his father (being then six years of age) to the scene of action. This proves his birth to be in 1754, and his age 108 years. Deceased was a sawyer by trade; and, even up to a few months of his death, he was able to move about the street, and use the spade or rake. William Power, aged 113, died at Droumtacker, near Tralee. He was a soldier in the "Old Kerry," and was present at the battle of Vinegar Hill. His intellect was perfectly clear until a short time before his demise. About the same time there died in the townland of Mulmurphy, on the estate of Lord Cremorne, a man familiarly known in the neighbourhood by the name of Jack Owens; he had attained the extraordinary age of 112 years. Up to the last few months he used to walk into Monaghan, and retained all his faculties perfect up to his death.

## FEBRUARY.

2. CONSECRATION OF AFRICAN BISHOPS.—The Rev. W. G. Tozer, of St. John's College, Oxford, vicar of Burghlock Winthorpe, Lincolnshire, nominated to the bishopric of the Oxford and Cambridge Mission to Central Africa, and the Rev. Edward Twells, of St. Peter's College, Cambridge, incumbent of St. John's, Hammersmith, nominated to the bishopric of the Orange River Free Territory, were consecrated in Westminster Abbey. The Archbishop of Canterbury was received by the Very Rev. the Dean (Dr. Trench), the Rev. Canon Jennings, and the Rev. Canon Nepean, and immediately afterwards a procession was formed, which moved into the choir. It consisted of the Archbishop, the Bishop of Oxford, the Bishop of Lincoln, the Bishop of Cape Town, the Bishop of Montreal, the Dean and Canons, and a large number of clergy in their robes. The bishops designate were attended by Dr. Travers Twiss, the Vicar-General of the Province, Mr. F. Hart Dyke, the Registrar, and other officials. The Archbishop having taken his seat on the north side of the Communion table, the bishops designate were conducted to seats in the sacrum. The Communion Service was then read by the Archbishop, the Bishop of Cape Town reading the Epistle, and the Bishop of Oxford the Gospel. The sermon was preached by the Bishop of Oxford, who selected for his text the 4th chapter of St. Paul's Second Epistle to Timothy, verses 5 and 6—"Watch thou in all things, endure afflictions, do the work of an evangelist, make full proof of thy ministry. For I am now ready to be offered, and the time of my departure is at hand." His lordship remarked that their two brethren who were going out were the successors of bishops who had occupied the same posts before,—the one, Bishop of the Orange Territory, who was about to succeed the Metropolitan of South Africa (Dr. Gray), in whose diocese it had hitherto been included; and the other, the Bishop of Central Africa, as successor to the late beloved Bishop Mackenzie, who was now lying in his lonely grave on the banks of the fever-laden waters of the distant Zambesi. At the close of the sermon, the bishops designate retired, and having been vested in their rochets were presented to the Archbishop, who, when they had assumed the full episcopal habit, admitted them to the rank and dignity of bishops of the Church of England.

5. THE PRINCE OF WALES TAKING HIS SEAT IN THE HOUSE OF LORDS.—This interesting event took place on the first night of the session, and, as nearly three-quarters of a century had elapsed

since a similar ceremony occurred, it occasioned great interest. It happened, by a rather singular coincidence, that the two Archbishops of Canterbury and York on the same evening took the oaths and their seats on the episcopal bench of the House of Lords. At two o'clock the Royal Speech was read by the Lord Chancellor, both to the Lords then assembled, and to the members of the House of Commons, who had been previously summoned to attend at the bar of the Upper House for the purpose of hearing it. The Royal Commissioners, in addition to the Lord Chancellor, were the Duke of Argyll, the Earl of St. Germans, Viscount Sydney, and Lord Stanley of Alderley. They were all clothed in their official robes, and took their seats at the foot of the throne. Upon the conclusion of the reading of the Royal Speech, the Commissioners and other Peers retired, and remained absent from the House until nearly four o'clock.

As the hour of four approached, the Peers reassembled in considerable numbers to await the arrival of the Prince of Wales. Upon the Ministerial benches were Earl Russell, the Duke of Somerset, Earl De Grey and Ripon, and in their immediate proximity were Lord Ebury, Earl Grey, the Earl of Clarendon, Lord Wodehouse, the Earl of Minto, Lord Eversley (the late Speaker of the House of Commons), Lord Cranworth, and the Earl of Dudley (as mover of the address, wearing the uniform of a colonel of yeomanry). Upon the Opposition benches were the Earl of Malmesbury, Lord Redesdale, Lord Colchester, the Marquis of Bath, Earl Beauchamp, Earl Stanhope, Lord Chelmsford, the Duke of Marlborough, the Earl of Lonsdale; the Dukes of Richmond, Buckingham, and Manchester; the Earls of Shrewsbury, Carnarvon, and Ellenborough, and others.

In the side galleries near the throne were seated their Royal Highnesses the Duchess of Cambridge and the Princess Mary of Cambridge, and a large number of Peeresses and foreign Ambassadors. In the Commons' gallery were several members of the Lower House.

At about a quarter before four o'clock the Lord Chancellor, attired in his ordinary dress of black silk, full wig, and three-cocked hat, entered the House, preceded by the Great Seal, and took his seat on the woolsack.

Prayers having been read by the Bishop of Worcester, a procession of Peers, headed by certain officials, emerged from the Prince's Chamber and advanced slowly and solemnly up the floor of the House. Sir Augustus Clifford, Usher of the Black Rod, followed immediately by Sir Charles Young in his robes as Garter King-at-Arms, took the lead. Then came the Prince of Wales, preceded by an equerry bearing a coronet upon an embroidered crimson cushion. His Royal Highness was also accompanied by the Duke of Cambridge, the Duke of Argyll, the Earl of Derby, Earl Granville, Lord Kingsdown, and Earl Spencer, in their robes as Peers; Lord Willoughby D'Eresby, Hereditary Great Chamberlain; and



Lord Edward Howard, who represented the infant Duke of Norfolk, Hereditary Earl Marshal.

The Prince of Wales wore the scarlet and ermine robes of a Duke over the uniform of a General in the Army. He was also decorated with the ribbon, &c., of the Order of the Garter, the insignia of the Golden Fleece, and the Star of India. As he entered the House the Peers rose in a body, and remained standing throughout the subsequent ceremony, the Lord Chancellor alone remaining seated, and covered with his official hat. His Royal Highness, having bowed his acknowledgments, advanced to the woolsack and placed his patent and writ of summons in the hands of the Chancellor. He then returned to the table, when the oaths were administered to him by Sir J. Shaw Lefevre, the Clerk of Parliament. The titles under which the Prince was sworn were the Duke of Cornwall, Earl of Chester, Earl of Carrick, Earl of Rothsay, and Lord of the Isles. After signing the roll the procession moved on, passing slowly at the back of the Lord Chancellor, who was still seated, with his head covered, on the woolsack. His Royal Highness, on reaching the right-hand side of the throne, took his seat upon the chair of State specially appropriated on State occasions to the Prince of Wales. Whilst thus seated he placed his cocked hat upon his head. The hat and feathers were such as are worn by general officers in full dress. Having for a moment surveyed the objects in front of him, His Royal Highness rose, and, again uncovering his head, was conducted to the woolsack, where he shook hands with the Lord Chancellor, that high functionary deigning, for the moment he was thus personally honoured, to raise his hat a few inches above his head. The Prince and the other Peers, together with the officials already named as forming the procession, then left the House, retiring by the entrance at the right of the throne in the same order as they had entered. The business of the House was then suspended until the usual hour.

At about five o'clock His Royal Highness the Prince of Wales, accompanied by the Duke of Cambridge, re-entered the House (both dressed in private clothes), and took his seat beside his royal kinsman on one of the cross benches. The Prince remained almost throughout the entire debate.

6. WRECK OF THE "ORPHEUS."—The sad intelligence was received of the total wreck of H.M.S. "Orpheus" on the west coast of New Zealand, with the loss of Commodore Burnett, C.B., 23 officers, and 166 sailors, Royal Marines, and boys, only 70 lives being saved out of a complement mustering 260.

The "Orpheus," a new steam-corvette of 21 guns, and 1706 tons, was commissioned at Portsmouth late in the year 1861, for the broad pennant of the Commodore in Australia, and was at Spithead waiting orders when the news of the "Trent" affair reached England. Commodore Burnett was at once despatched to convey the "Melbourne" transport, with a valuable freight of rifles and

ammunition, across the Atlantic, and remained on the North American coast, doing good service in directing the disembarking of the troops sent out to Canada all through the winter months, when he received orders from the Admiralty to proceed to his command in Australia, arriving in Sydney in July, 1862.

During the detention of the "Orpheus" in dock, completing a necessary refit and replacing copper torn off in the ice, the Commodore proceeded in the "Pioneer" to ascertain the most favourable site for a new settlement near Cape York, and to select the most eligible harbour and outlets for the new country recently opened up on the north-eastern shores of Australia. Subsequently, the Commodore proceeded to make the rounds of his station in the "Orpheus." Having just returned from a visit to the beautiful colony of Tasmania, he left Sydney for New Zealand on the 31st of January, and, after a very fine passage under canvas, made the land off the Manukau Harbour on the 7th of February.

The harbour of Manukau, situated on the west coast of New Zealand, is but little known. It is a large sheet of water, 100 miles in circumference, formed of innumerable mudbanks, which are dry at low water, intersected by intricate channels, more or less deep. It derives what little importance it has from its position with respect to the capital, Auckland, the two harbours being separated by a narrow neck of land only six miles wide. It has recently come into note as a place for embarking troops, and as a station for men-of-war, when employed against the natives in the Taranaki operations.

A bar, with 30 ft. at top of high water, extends, at a distance of three miles, right across the entrance, inshore of which are large shifting sandbanks, upon which the sea is constantly breaking with the uninterrupted force of the great Pacific Ocean. Charts of the deep-water channels, compiled from the elaborate surveys of Captain Drury, R.N., are published, to which additions and corrections have been made from time to time by the New Zealand Government. A pilot look-out, with a semaphore signal-station, is in existence near the entrance. Navigators are instructed to pay attention to the signals in their approach through the outworks of shoals and sandbanks, towards the Heads, where they are boarded by the pilot.

As before stated, the "Orpheus" made the land about eleven a.m., in beautiful, fine, clear weather, with a moderate breeze from the south-west. Soon after was observed the signal-station, with the signal flying, "Take the bar;" the ship being under all plain sail. Steam was got up for half-speed, and she proceeded across the bar, the tide being just on the turn to ebb. Steering by the Admiralty sailing-directions, the pilotage being altered now and then in obedience to the signals, all precautions were taken with the steerage, and to keep the ship under perfect command, keeping, as was thought, in mid channel, making at a good rate for the entrance. It appears that either she was not kept far enough to the northward,

or that the middle bank had very recently extended itself unknown to the pilots, for very shortly after passing the bar, and when about two miles from the Heads, at about 1.30 p.m., the ship struck on what was subsequently discovered to be the extreme northern edge of the middle bank, and at about fifty feet from the deep water.

The order was given to back astern, but the engines never moved; the ship immediately broached to, with her head to the north, and the rollers made one complete sweep over the port broadside, tearing to pieces and sweeping every thing before them, whilst the heavy bumping of the ship forced up the hatchway fastenings, and she consequently soon filled with water.

All hands were employed lightening the ship of her heavy broadside guns, and getting out the boats.

Two boats, one a cutter with the records and valuable papers, and another with Lieutenant Hill and Mr. Amphlett to obtain the services of the life-boat at the Heads, and to give the alarm to H.M.S. "Harrier," known to be in the port, were despatched by the Commodore.

Mention should here be made of the perfect coolness and judgment of Commodore Burnett, of the discipline and quiet order maintained throughout this trying occasion; and the absolute good feeling displayed by all, from the chief to the smallest boy, speaks well for the service.

With great difficulty, and in imminent danger of swamping in the rollers, both the boats succeeded in reaching the Heads at five o'clock, where they met the pilot, and observed the small steamer "Wonga-Wonga," which had a few hours previously proceeded to sea, returning by the south channel into port. The life-boats having been reported unserviceable, the steamer closed the boats, took them in tow, and steamed out to the scene of the wreck, which they did not reach till six o'clock. They found the ship almost buried in the water, the seas breaking clear over all and half-way up the rigging. All the people in the tops had mounted in the rigging; the Commodore, with all his young officers, being in the mizentop.

It was at once seen that the only chance of saving lives was from the bowsprit and jibboom, which overhung the deep, still water. The boats were placed to pick up all that ventured to jump and swim for it. With the exception of the boat's crews, all that escaped were saved in this manner. Nearly all that left the ship abaft the foremast were taken down by the eddies and undercurrents around the ship. Some of the more young, active sailors slid down the stays from head to mast until they reached the jibboom. It was stated by the men who were picked up, that, shortly after the two boats had left the ship, the launch was got out and manned with forty hands, but in endeavouring to clear the ship had got swamped alongside, and that all were drowned.

At about seven o'clock the flood-tide set in strong, and the rollers

became very high and dangerous; the bowsprit soon broke short off, the boats being occasionally towed to windward by the steamer, which kept burning blue-lights.

Towards nine o'clock the masts went one by one; the people in the tops were heard cheering and encouraging each other as they fell. The passengers in the "Wonga-Wonga" speak of this as a most heart-rending scene, for the ship seemed at the time to break thoroughly up. Fragments of spars and large masses of wreck could be seen (it was a beautifully clear, bright moonlight night) passing in shore with the tide, clinging to which a number of poor fellows were picked up, most of them in the last state of exhaustion. The boats kept on the spot until all had disappeared. Nothing could be heard or seen during the remainder of the night. At daylight the wind had subsided; the sea was a perfect calm. The "Wonga-Wonga" steamed close to the reef, but nothing was visible but the stump of one mast and a few bare ribs. It was difficult to realize, even to a person on the spot, and after a night of painful anxiety, that such a dreadful calamity had happened—that of that noble ship, and of her complement of gallant fellows, so lately full of hope and life, nothing now remained but the few half-naked sailors that stood around us.

Numerous instances occurred of personal courage and endurance of the very highest order. One case, that of a young seaman named Johnson, who, at the risk of his own life, on four different occasions saved the lives of drowning men, deserves especial notice; whilst the pilot's boat's crew—four marines—were among the first and foremost.

A despatch from the senior officer on the New Zealand station to the Admiralty, gave an account of the efforts made to recover the bodies of the brave men who perished on board the "Orpheus," and to give them Christian burial. The natives on the coast were most friendly, and rendered the parties every assistance. They had buried several of the bodies which had been cast up on the beach before the arrival of the English party, and among others the body of Commodore Burnett, which was, however, disinterred, removed to Auckland, and there buried with military honours. Above fifty bodies altogether had been found and buried by the natives and the party sent in search. Very few articles connected with the ship had been washed ashore, and nothing of the wreck appeared above water but the stump of one of her masts.

7. A SINGULAR action for breach of promise of marriage was tried in the Court of Exchequer. A Miss Russell sued Mr. Adams, an eminent surgeon, with whom she said she had formed an acquaintance while taking a deformed child to be examined by him. The case rested entirely on the testimony of the young lady and her mother. There were no letters nor confirmatory statements from other quarters, while the landlady of the house in which the plaintiff and her mother lived went far to contradict their statements. Some of the jury were for closing the case, but as others



were in favour of hearing the whole evidence, the action was adjourned. The case for the defence was fully gone into, and left no doubt that the plaintiff's story was a fabrication. The jury, however, returned their verdict in the following rather singular terms:—"As the plaintiff has not made out her case to our entire satisfaction, we of necessity find a verdict for the defendant."

9. CONVICTION FOR MURDER AT EDINBURGH.—The High Court of Justiciary sat for the trial of Alexander Milne, accused of the murder of James Paterson. Milne was a jeweller and artist in hair, in South Frederick-street, Edinburgh, and Paterson was a working jeweller, who was frequently employed by Milne. On the morning of Wednesday, January 7, Paterson sent Graham, one of his workmen, to Milne to make inquiry as to the execution of an order Paterson had received from him. Milne asked Paterson to come himself. Paterson entered his shop about eleven o'clock, and a few minutes afterwards he was seen to come out at the area door, climb over the railings, and enter an adjoining shop, where he fell down, and in a few minutes expired, having been stabbed to the heart. There were no witnesses to the blow, but Milne was found with a dagger in his possession, which he had bought only that morning. At the trial Milne pleaded "Not Guilty," but also put in the special defence of insanity. After the evidence for the Crown, which occupied the greater part of the day, evidence was given at considerable length in support of this special defence. The facts brought out presented a case of no little difficulty. It appeared that for some days before the murder, Milne (who had for the last few years led a very dissipated life) had been drinking heavily, and had reduced himself to a state which bordered on, if it had not become, actual insanity. On Christmas night he had had a party of friends at his house, whom he horrified by the display of a drawn sword, with which he performed numerous vagaries, and shocked by a very profanely-expressed blessing, and generally alarmed by his excited and strange conduct. On the 5th of January he was in bed, and called in a doctor, who prescribed some medicine, and censured him for his debauchery. Paterson happened to call, and took up the bottle to smell it; and Milne afterwards refused to take any, saying that Paterson had poisoned it. At night he told the porter, who put on the shutters, that robbers were watching to break into his shop; and some noises at the door that night appear to have confirmed his suspicions. Next morning, he got a smith to put on an additional bar; and Paterson happening to call, he pointed him out to the smith as one of the blackguards who had been trying to break into his shop. The same day he went to an auctioneer to ask him to take charge of some of his most valuable stock, in consequence of the suspected robbery; and to several persons he also expressed his belief that Paterson had designs upon his life, so as to get his wife and take the business. On the morning of the 7th he went out about ten o'clock, and bought the dagger—whether prior or subsequent to Graham's visit the evidence did not distinctly show.

After the murder, he waited in his shop till he was apprehended, though he had both opportunity and money to escape. To the police officials he avowed the act, stating that Paterson, only two days before, had come in and diffused vapours through the room, and, while he was blinded and overpowered by them, taken liberties with his wife, and had also attempted to poison his children. Next morning, the statement which he made in a declaration before the magistrate was that he was playing with the dagger when Paterson came in, that he told him to stand back, but that Paterson ran forward upon it, and so was killed by accident. In the first night of his imprisonment he awoke in great terror, and called out that his wife and children were being murdered. The turnkey feared *delirium tremens*, and took him to the padded room, but no such fit came on. Two other prisoners, incarcerated in the cell with him, testified to Milne having spoken and acted throughout his imprisonment under delusions similar to those he exhibited before the murder, and stated that sometimes he had justified his conduct in putting Paterson to death, and at other times expressed great regret for his death, which he attributed to accident. The medical gentlemen called for the defence (including Professor Christison) thought the prisoner while in gaol was insane, and acted under insane delusions; and they had detected no symptoms of feigning. They could not, however, account, by reference to any known case of monomania, for the contradiction in the prisoner's statements as to the cause of Paterson's death. The Solicitor-General (Mr. Young) addressed the jury for the Crown, and contended that the prisoner's aberrations were caused solely by drinking; that he had never lost consciousness of right and wrong, and that his declaration and conduct the day after the murder showed not insanity, but the result of cool reflection. Mr. Scott, for the defence, maintained that the prisoner was insane at the time of the act, and that the insanity still continued. The Lord Justice Clerk, in his charge to the jury, went carefully over the evidence, and especially pointed out all those parts of it which bore on the question of insanity, and supported the prisoner's plea. He also instructed the jury that they might, if they found the prisoner sane, return a verdict of culpable homicide, should they think, from the absence of witnesses to the deed, that there was doubt as to its being an act of murder. The jury, after an hour's absence, found the prisoner guilty of murder, but recommended him to mercy. The Lord Justice Clerk pronounced sentence of death, and appointed the execution to take place on the 4th of March, at the same time stating that the recommendation of the jury would be forwarded to the proper quarter.

— FIRE AT THE BISHOP OF LINCOLN'S PALACE.—About eight o'clock a.m., a fire broke out in the Bishop of Lincoln's palace, at Riseholme, about three miles from Lincoln. Smoke was first seen issuing from the floor of the bed-room immediately over the servants' hall, and an alarm was at once given. His lordship

was at home, having arrived on the previous evening; and Archdeacon Kaye, his lordship's son-in-law, was also at home. The latter at once undertook the direction of the domestics. Their attention was first directed to the floor from which smoke was seen issuing, and a large quantity of water was poured upon it; but, notwithstanding the efforts to prevent it, the flames broke out with great fury, and ascended to the ceiling. Their exertions were then directed to the room above, and large quantities of water were poured upon that floor. The flames, however, gained the mastery; and soon that room was burning too. The doors were then shut, to prevent the ingress of air, and thus confine the fire to the portion of the mansion (the right wing) of which it had obtained possession. By this time the cathedral and city engines, with their respective brigades, arrived, and soon a very copious supply of water was poured upon the burning mass; and the flames were subdued about two hours after the fire had been discovered, but not before a portion of the roof had fallen in. Fortunately, there was not a breath of wind stirring at the time, and an abundant supply of water at hand from the lake in front of the palace, or the whole of this beautiful and extensive mansion might have been a blackened ruin. The fire was said to have commenced in the chimney of the servants' hall, where a fire had just previously been kindled. A wooden beam in the ceiling of the hall projects into the chimney, and it was conjectured that it had ignited.

— THE "GEORGE GRISWOLD."—This vessel, laden with a large supply of provisions for the benefit of the Lancashire Relief Fund, was berthed in the Waterloo Dock, Liverpool. She is a very handsome and entirely new vessel of 1180 tons American register, but capable of carrying 1500 tons, and was built by Mr. Thomas, at Quincy, in the State of Massachusetts. As the vessel was being towed up the river, she was saluted by the firing of eighteen guns from the North Fort, the Rock Fort ensign also being "dipped" in courtesy. It was expected—indeed, a sort of semi-authoritative announcement had been made—that some public demonstration would take place on the arrival of the ship; but, beyond the courtesies above mentioned, nothing of a public nature occurred. A few days afterwards, however, the Chamber of Commerce met the commander of the vessel and the officers of his crew in St. George's Hall, when the following address was presented:—"To the Commander of the ship 'George Griswold,' as the representative of the American Contributors to the Relief of the Distress in the Cotton Manufacturing Districts.—Sir,—Sixteen years ago, when our countrymen in Ireland were suffering the horrors of famine, your nation, then united and prosperous, sent across the Atlantic offerings of grain and provisions to alleviate their great distress. To-day, with your energies taxed to the utmost by the gigantic struggle through which you are passing, you have not

ceased to be mindful of the misery which this sad contest is inflicting on fully half a million of our industrious workers, and you have a second time generously contributed of the abundance with which God has blessed you to help the necessities of those among us who, through no fault of their own, are reduced to a state of compulsory idleness and destitution. We call to mind that out of the sufferings of that period there arose for us, by this emancipation of our industry, an unspeakable good, which has enriched our country, extended our commerce, banished not a few of our social discontents, and inaugurated a great moral revolution, the blessings of which have not been confined to ourselves, but are gradually working out in other countries the like beneficial results. May we not hope that the trial through which you and we are passing will be the precursor of equally great social ameliorations, and that out of the darkest hour of a nation's existence—that of bloodshed between members of the same family—there may issue for you some signal national deliverance, the benefits of which are to stretch beyond yourselves to the gain of our common humanity? Our country accepts with gratitude this noble gift. We welcome to our port the bearers of this brotherly bounty—freely given, freely stowed, and freely freighted across the seas by a commander who has given his free services to this benevolent work. Our Government and the local authorities have shown their appreciation of the act by removing every impost on the free admission of the ship and her cargo. As representing the mercantile community of Liverpool, this Chamber of Commerce asks you to convey to the donors its sense of the liberal and friendly spirit in which your merchants and agriculturists have united to send forward to our distressed cotton operatives so acceptable a message of goodwill and sympathy; and in many a home, darkened by the shadow of this terrible calamity, the silent thanks and prayers of thousands who are bearing their privations with a patience and a heroism beyond all praise, will be your best reward. Addressing you on behalf of a community among whom it is well known great differences of opinion prevail as to the causes and objects of the contest now unhappily raging among you, it would be evidently unbecoming in us to put forward any statement that would create dissension and mar the general harmony of the occasion; but we think we are warranted in saying that men of all shades of opinion would rejoice to see this war terminated in any way that would not be inconsistent with your honour as a people, and with the great and responsible position which you occupy among the nations. We shall recognize in the return of peace and prosperity among you the best securities for our own continued prosperity. We trust that nothing will arise to interrupt for a moment the friendly relations which have hitherto subsisted between us, and that no harsh judgments or misrepresentations of feelings and motives on either side will lead us to forget that



we are kinsmen, sprung from a common stock, united by the bond of a common language, and fellow-labourers in the common cause of progress. May the two great branches of the Anglo-Saxon family always be found generous rivals in the arts of peace, and in efforts to ameliorate the condition of mankind! And at no distant period may the sword be sheathed throughout your land, and the sounds of strife be exchanged for the conquests of industry. Signed on behalf of the Liverpool Chamber of Commerce."

12. THE PRINCE OF WALES AND THE FISHMONGERS' COMPANY.—The freedom of the Fishmongers' Company was this day presented to the Prince of Wales. The steps leading to the Fishmongers' Hall were covered with crimson cloth, while overhead was the canopy—always significant of some City festivity. Eighteen watermen, all winners of Doggett's badge, at various periods, from 1824 down to the 1st of August last, kept guard in the outer staircase; and in the vestibule the band of the Royal Artillery played at intervals. The great hall where the presentation took place was crowded with spectators, among whom were a very large number of ladies. In the centre of the hall was a raised dais and a crimson chair placed for the Prince of Wales. About one o'clock His Royal Highness arrived at the hall, accompanied by General Knollys and Major Teesdale. His approach was the signal for a most hearty reception from the crowd, the cheering being loud and reiterated. The Prince at once ascended the staircase in the midst of a procession consisting principally of members of the Fishmongers' Company, the band of the Royal Artillery meanwhile playing "God save the Queen." When he had entered the ante-room to the principal chamber, several of the leading members of the corporation were presented to him by the clerk of the company. Amongst those thus presented were the past wardens, Mr. Hanbury, M.P., and Mr. Western Wood, M.P., Lord Clyde, and Sir Rowland Hill. The Prince then entered the great chamber of the company, and took his seat in the chair upon the dais, the spectators standing until they received a signal to be seated. The freedom of the company, enclosed in a massive gold casket, was presented to the Prince with the usual forms, Mr. Cubitt, M.P., briefly addressing His Royal Highness. This chaste and elegant casket is surmounted by a female figure, representing Commerce seated on a dolphin, and by His Royal Highness's coronet and feathers. It bears the Prince's arms and monogram, and likewise the company's arms. The Prince of Wales, after having shaken hands with Mr. Cubitt, spoke as follows:—"Mr. Cubitt and gentlemen, it is with the greatest pleasure that I find myself called upon to return my sincere thanks to you, sir, as prime warden, and to you, gentlemen of the court of assistants of this honourable and ancient Company of Fishmongers, for the complimentary and kind terms in which you

have expressed yourselves towards me on the occasion of my taking up my freedom, and on your enrolling my name as a citizen with those illustrious personages and relatives who stand recorded in your annals. It cannot be otherwise than a source of pride, and of a still deeper feeling—that of affection—when I look on these walls and see the portraits of those whose son and grandson hopes to form one of your distinguished body; and to be thought worthy of occupying the place of that lamented parent whose loss the whole country has united in deploring would be in itself an object of my highest ambition. Gentlemen, let me also tender to you my warmest acknowledgments for the manner in which you have offered your congratulations to me on my approaching marriage, and to the young Princess who hopes so soon to adopt the proud title of an Englishwoman, and to prove herself a comfort to the Queen in her affliction.” Cheers followed the conclusion of this address. The interesting ceremony then terminated.

The Prince was subsequently entertained at an elegant *déjeûner*. In the evening there was a magnificent banquet given in the hall, at which most of the civic members were present, and at which also the Earl of Shaftesbury and Sir Rowland Hill took up their freedom.

17. INSTALLATION OF THE CHANCELLOR OF DUBLIN UNIVERSITY.—The Earl of Rosse was installed Chancellor of Trinity College, Dublin, by the Right Hon. Judge Keating, pro-Vice-Chancellor, in the presence of the provost, fellows, members of the University, and a large assemblage of ladies and gentlemen which filled every part of the examination-hall.

The ceremony of installation was performed for the second time in the history of the University, the first and last Chancellor who was thus publicly inducted to his office being the Duke of Bedford, who was Lord-Lieutenant about a hundred years ago. This, moreover, is the first time that the office of Chancellor has been given to one who is both an Irishman and an alumnus of the University. These circumstances, added to the fact of the high position which Lord Rosse occupies amongst scientific men, sufficiently account for the eagerness exhibited by the public to witness the ceremony. As the space contained in the examination-hall is, however, somewhat limited, it was necessary that the arrangements should be very well planned and effectively carried out.

At about two o'clock the procession entered the hall, Lord Rosse and his Excellency the Lord-Lieutenant walking together. While the Senate were taking their seats the organ played.

The Vice-Chancellor conferred the degree of LL.D. upon the Earl of Rosse, who took his seat, and was installed with due ceremony.

The Provost then said: “My Lord, I confess that I feel myself much affected when I now stand in your presence, and that of the

august body, the Senate, which has elected you. I hold it to be a happy omen of the further progress of our University that we have elected to the highest position amongst us an individual whose fame has reached every part of the civilized world—who has brought all the required endowments of science to assist the boldest mechanical knowledge, and has thereby sought to gratify the natural cravings of man for philosophical knowledge. My lord, we cannot assert for ourselves the honour of discovering the extent of your lordship's claims. All the most distinguished societies in Europe have courted the honour of your membership. The Royal Society have acquired fresh distinction by naming you as their President, and I now feel proud of the privilege which has been given me of conveying to your lordship the opinion entertained of your talents and acquirements by the members of this University."

The Chancellor replied in a brief and eloquent address, in which he expressed his hope that, from his knowledge of the University in which he had once pursued his studies, he should be found able to discharge efficiently the duties of the high office which devolved upon him. He paid a touching tribute to the memory of the late Chancellor, Primate Beresford, who, he said, possessed every gift of mind, person, and fortune which could qualify him for the position. He did not hope to equal the late Primate, but he did trust that it would be in his power to do some service for the University which had given him so high a distinction.

The Installation Ode, by Dr. Waller, the music composed by Dr. Stewart, was given with fine effect.

The Chancellor then conferred the degrees. Amongst those who received the honorary degree of LL.D. were Mr. Benjamin Lee Guinness; the Lord Mayor; Mr. Whitworth, the inventor of the cannon which bears his name; and Mr. Edward Cooper, the eminent astronomer, of Markree Castle, in the county of Sligo.

The Installation March, composed by Dr. Stewart, having been performed, the comitia dissolved.

20. OPENING OF THE PNEUMATIC DESPATCH MAIL SERVICE.—A company was registered in 1859 for the establishment in the metropolis of lines of pneumatic tube for the more speedy and convenient circulation of despatches and parcels, and an Act of Parliament received the Royal assent in the same year, empowering the company to open streets and lay down tubes for the purpose. The directors, having satisfied themselves and the shareholders of the complete mechanical success of the company's system of transmission, by experiments upon a short line of tube at Battersea, and of its economy and peculiar applicability to the purposes in view, determined on laying down a permanent tube of thirty inches' gauge between the Euston station and the North-western District Post-office, Eversholt-street. This tube, with the stations, machinery, and appliances, has been completed, and

found to work most efficiently. The length of tube open is not considerable, reaching a distance of only a third of a mile. The transmission of the first batch of mail-bags through it took place this day. Several of the principal officials from the Post-office were present during a part of the operations. The whole of the works were in the most admirable order, and, on the arrival of the first mail-train at 9.45 a.m., the mail-bags, thirty-five in number, were placed in the cars by 9.47. The long chamber was then exhausted, and the train containing the first mails ever despatched by the agency of the atmosphere were blown through the tube to the station at Eversholt-street, reaching their destination at 9.48. The success of the experiment was so decided, that the company resolved to commence the Holborn extension at once, and to proceed as rapidly as possible with the main work and all its ramifications.

— THE WINCHBURGH RAILWAY COLLISION.—At the High Court of Justiciary, Edinburgh, Mr. Latham, general manager, and Mr. Thomson, traffic superintendent of the Edinburgh and Glasgow Railway, were charged with culpable homicide and culpable neglect of duty. To the defects of a special order, dated the 12th of September, issued by the accused, was attributed the catastrophe of the 13th of October, 1862. It was, however, shown, in cross-examination, that the order was in the usual form, had hitherto worked well, and been deemed sufficient; that the line under relay was in the engineer's department, as also the selection of the subordinates, by whose blunder the accident was directly caused. After eight hours' trial, the Lord-Advocate intimated he could not press for a conviction. The Court concurred, and a verdict of "Not Guilty" was returned.

24. FATAL ACCIDENT IN THE HUNTING FIELD.—The East Sussex foxhounds met at Crowhurst, a village a few miles distant from Hastings, and there was a good muster on the occasion. Among the company was Captain Tewke, a gentleman belonging to Nottinghamshire, who had been staying a short time at the Victoria Hotel, St. Leonard's-on-Sea. While following the hounds over a piece of rather marsh land, just below Pebsham, this gentleman's horse fell and rolled over him, causing almost instantaneous death. A horse that was ridden by another gentleman of the party also met with an accident, by which its back was broken. An inquest was held on the body of the unfortunate captain the same evening, by Mr. Kell, the coroner for the district, and a verdict of "Accidental Death" returned.

— ENTHRONEMENT OF THE ARCHBISHOP OF YORK.—The ceremony of the enthronization of the Most Rev. Dr. Thomson, Archbishop of York, took place in the cathedral church of his diocese, in presence of a large number of influential persons, clerical and lay, connected with the county. On the arrival of the Archbishop, a procession was formed, consisting of the Hon. and Very Rev.



Augustus Duncombe, D.D., Dean of York; the Rev. Dr. C. J. Vaughan, Chancellor of the Cathedral; the Hon. and Rev. Stephen Willoughby Lawley, M.A., Sub-Dean of the Cathedral; the Ven. Stephen Creyke, M.A., Archdeacon of York; the Ven. Archdeacon Churton, M.A., Archdeacon of Cleveland; the Ven. Charles M. Long, M.A., Archdeacon of the East Riding; the Rev. Canon Vernon-Harcourt, the Rev. Canon C. V. V. Johnstone, the Rev. Canon the Hon. John Baillie, M.A.; Granville Harcourt Vernon, Chancellor of the diocese; the Rev. Prebendary Sale, the Rev. Prebendary Robinson, the Rev. Prebendary Hay; Mr. Egerton Harcourt, the Registrar; Mr. C. A. Thiselton, the Chapter Clerk; Mr. Hudson, the Deputy Registrar; the vicars-choral, songmen, and a large number of the clergy from various parts of the province. On arriving at the western door, the choir commenced chanting the 121st and 122nd Psalms, meanwhile all the clergy and officials passing to their respective seats. The Archbishop having had administered to him the oaths taken on such occasions, the Litany service was sung; and immediately afterwards the Bishop was conducted to his throne, where the ceremony of installation was performed. After a prayer had been offered up by the Dean, the Hallelujah Chorus was sung, and the blessing pronounced by the Archbishop. The proceedings then terminated.

— ARRIVAL OF ANOTHER "RELIEF-SHIP" FROM AMERICA.— The American barque "Achilles," under the command of Captain Gallagher, arrived in the Mersey from Philadelphia, with upwards of 5000 barrels of flour for the relief of the distressed operatives in Lancashire. The port pilotage and dock dues in this, as in the case of the "George Griswold," were remitted; and the New Steam-Tug Company towed up the ship free of charge. As soon as it became known that the "Achilles" was in the river, immense numbers of people visited the Prince's Landing Stage and the piers to have a look at the third of the American relief-ships. The "Achilles" was easily distinguished by the English ensign at the fore, her house-flag at the main, and the national emblem of the United States at the mizen. At high water, the "Achilles" was taken in tow by the "Phoenix," and docked in the Waterloo Dock, where she at once commenced to discharge her cargo. There were at one time three vessels in Liverpool that had brought relief from the United States to the suffering poor in Lancashire—viz., the "Hope," "George Griswold," and "Achilles."

The Mayor of Liverpool (Mr. R. C. Gardner) entertained the captains of the relief-ships at a grand banquet in the Town Hall. Amongst the gentlemen present were Sir William Brown, Bart., High Sheriff of Lancashire; the Mayor of Manchester, and Captain Inglefield, R.N., C.B. The speeches were chiefly expressive of the gratitude felt by Lancashire for the noble donations of the people of the Northern States, and hopes were expressed for a

speedy termination of the war, and the further enlargement of the bonds of amity and goodwill between the New and Old Worlds.

— INAUGURATION OF THE WEDGWOOD STATUE AT STOKE-ON-TRENT.—About two years ago, a meeting was held at the Railway Hotel, Stoke-on-Trent, for the purpose of erecting a monument to the memory of Josiah Wedgwood, the father of the Potteries. Two schemes were submitted, one for a statue, and the other for a memorial building. The latter was advocated by the inhabitants of Burslem, the building to be erected in that town; the former had the support of the inhabitants of Hanley, and was to be placed in such a situation that strangers passing through the district might have an opportunity of inspecting it. The district was divided in opinion; and a committee was formed for carrying out each project, subscription-lists were opened, and the country appealed to. The committee for the statue accepted the liberal offer of the directors of the North Staffordshire Railway Company to place it in Winton-square, adjoining the station at Stoke-on-Trent, and commissioned G. Davies, Esq., sculptor, to execute the statute, which he performed in a manner worthy of his own reputation. The unveiling of the statue took place in the presence of an immense concourse of spectators from all parts of the Potteries, Newcastle, and the towns in North Staffordshire.

25. THE LEVÉE.—His Royal Highness the Prince of Wales held a Levée on behalf of Her Majesty, in St. James's Palace. The Prince left Buckingham Palace at half-past one o'clock, and in his progress through the Park was received with marked enthusiasm by an immense crowd of spectators. The Court was numerously attended. The whole of the Diplomatic Corps (with the exception of the Belgian Minister, prevented by indisposition), with the Secretaries and Attachés of their respective Legations, were present. One thousand gentlemen had the honour of being presented to His Royal Highness, the presentations, by Her Majesty's pleasure, being considered as equivalent to presentations to the Queen. The Levée was also attended by about 1700 of the nobility and gentry. The Prince of Wales was attended by a brilliant Court, comprising the Ministers of the Crown, the great Officers of State, and the principal Officers of the Household of Her Majesty and His Royal Highness. The Royal Body Guard of Her Majesty's Hon. Corps of Gentlemen-at-Arms was on duty in the State saloons, under the command of the Lieutenant. Captain Philips, the sub-officer, was on duty with the corps. The Yeomanry of the Guard were commanded by Captain Parker Rickford, the Exon in Waiting. His Royal Highness the Duke of Cambridge (attended by the Hon. James Macdonald), His Royal Highness Prince Louis of Hesse (attended by Baron Westerweller), His Serene Highness Prince Edward of Saxe-Weimar, His Highness Dhuleep Singh, and Count Gleichen, were present. Ambassadors and great Officers of State, having the privilege of the

*entrée*, passed into the reception-rooms at one o'clock, and for two hours subsequently there was a continuous succession of arrivals, until all the saloons and the approaches thereto were densely crowded by a brilliant company. At three o'clock the crush at the entrance was so great that orders were issued not to allow any more carriages to enter the palace quadrangle. The rank at this time extended up St. James's-street and Albemarle-street, far into New Bond-street. It was nearly four o'clock when carriages ceased to set down company; and the evening had closed in before the later arrivals had taken their departure. The Prince of Wales returned to Buckingham Palace at five o'clock, again receiving the acclamations of a great concourse of spectators on his way through the Park.

— AN EXTRAORDINARY IMPOSTOR.—Early in the month of January, a woman was found in an unconscious state on the arrival of a train at Strood at night from London-bridge. Restoratives were applied, but no motion of the heart was discovered, and Dr. Brown, pronouncing the woman a corpse, recommended her removal to the dead-house. Two surgeons (Mr. Steele and Mr. Langstone) were sent for, and when the latter had continued his efforts to restore animation for two hours, returning consciousness was perceived, and the woman was ultimately removed to the Strood workhouse, when she said that her name was Bell, that she had come from the United States to visit her father in Glasgow, and was proceeding thence to Chatham to visit her brother, who was a soldier, when, in the railway carriage, a respectably dressed woman first drugged her, then robbed her of 30s., her muff and shawl, and escaped in the confusion at Strood station. The station-master at Strood gave her a free pass back to London and 5%. A few weeks afterwards the sequel of the story was told to the magistrates at Wolverhampton, before whom the woman was denounced as an impostor. From London it appears she made her way to Birmingham, where she feigned illness, also at the railway station (New-street); was removed to Coventry, where she said she had friends; was driven round the city during an hour, in a vain attempt to find those friends, and was returned to Birmingham. On the evening of the 10th she was found again insensible on the floor of a third-class carriage at Wolverhampton, and was removed to the Southampton Hospital in that town. Here she was recognized by the house surgeon, who had removed from Shrewsbury Hospital to Wolverhampton, as a woman whom he had cupped and blistered in Shrewsbury some months ago, she having arrived there also in a state of unconsciousness, and, on recovering, having stated that she had been given poison in the train. The house surgeon accordingly informed the police of the character of his patient. From inquiries made it would seem that the woman has on many occasions since March, 1862, feigned "unconsciousness." At Welshpool, at Newtown, and at Montgomery, in that month, she had been found in the street insensible—in the latter case making



a serious charge against three young men who had discovered her. They were taken into custody, but ultimately discharged. Subsequently, a woman answering to her description was found on a railway-bridge near Oswestry, with marks of violence on her throat, and a man, in whose company she had been seen, was taken into custody for attempting to strangle her, but the violence proved to have been self-inflicted. In a few days afterwards she was found in the train at Shrewsbury, as already stated, where, it appears, she also feigned consumption, spitting blood, which she obtained from her arm by biting and pricking it. On the 15th of January of this year we again find her in London, under the name of Harriet Bell. On that night she was found by a porter, on the arrival of a train at Paddington, "in a state of insensibility." It was supposed that she had taken poison, and she was removed to St. Mary's Hospital, Paddington. The usual remedies for poison were applied. On recovering, she pretended that she could not speak English, but only Welsh. A Welsh railway porter was sent for, to ascertain what she had taken. She said she was on her way from Glasgow to Chatham, to her brothers, who were soldiers; that while in the train, a man, by sheer dint of superior strength, overcame her and committed an offence upon her person. He then gave her some wine and spirits, and while she was insensible robbed her of 1*l.* 10*s.* Before she was released she could speak English. Then came her last appearance at Strood, Birmingham, and Wolverhampton, on which she was now charged as a vagrant. The magistrates sentenced her to three months' imprisonment.

27. THE CASE OF PUSEY AND OTHERS *v.* JOWETT.—(*Oxford: Chancellor's Court.*)—In this case, which was a proceeding instituted by the Rev. Dr. Pusey and two other Doctors of Divinity in Oxford, against the Rev. Francis Jowett, Professor of Greek in the University, for heresy contained in certain of his published writings, and in which the defendant had taken objection to the jurisdiction of the Court, the learned Assessor, Montague Bernard, Esq., after hearing the case fully argued, delivered his judgment. He commenced by recapitulating the proceedings taken in the suit up to the present moment, when he was called upon to decide whether the Court had jurisdiction or no in the matter. He read most of the citation, and observed that the only objection made to it was that it was too vague, because it stated that the act complained of was committed "in Oxford and elsewhere." He decided against this objection, on the ground that, if the specification of a place was needed, the mention of Oxford was a sufficient specification. He then proceeded to deal with the question of jurisdiction, premising that he did not think himself bound to confine his view to the arguments which had been addressed to him, or to the grounds stated in the protest. The defendant's proctor founded his protest on three grounds. He held that the Court had no jurisdiction in matters *merè spiritualia*, and that heresy was a spiritual matter; that the Court was unfit to do justice to the case; and, lastly, that



it had no power over a *Regius Professor*. He would take first the constitution and procedure of the Court. He thought it would be granted that the University ought to have a power to correct violations of its statutes, and that this power should be so exercised that every accused person might be heard, and that the Vice-Chancellor might have the assistance of a person not unacquainted with the duties of a judge and the principles of English law. The procedure in this Court would be substantially the same as that of the Court of Arches. Each party might be heard by counsel. If the judge erred—and he was quite sensible that he had neither the learning nor the authority to decide such a case satisfactorily—he might be set right by the Queen's Bench, or by an appeal to the Privy Council. He was of opinion that the promoters were not to blame for resorting to this Court, which was the only Court open to them, and that he was not precluded by its defective constitution or procedure from entertaining their complaint. He came now to the objection founded on Mr. Jowett's being a *Regius Professor*. Having stated the extraordinary nature of the claim made to complete exemption from University law on the part of such persons, he decided against the protest on this point, holding that Professor Jowett's office was not a bar to his being cited to appear in this suit. He then approached the main question, with respect to the nature of the offence charged. Unless the citation alleged an offence with which he had the power to deal—a breach of some law which he was authorized to enforce—the suit fell to the ground. The Court had to enforce two bodies of law—the general law of the land and the particular laws of the University. It might be argued that Professor Jowett was charged with an offence against the ecclesiastical law, which was part of the law of the land; but, if so, this was an offence which, as such, he had no power to punish. The Church Discipline Act showed clearly that he had no jurisdiction. The question remained whether this was an offence against the statutes, and, if so, an offence with which he had authority to deal. After deciding that the fact of the offence charged being in one point of view an ecclesiastical offence did not preclude him from punishing it, if it were also an offence against the statutes, the learned Assessor proceeded to examine the University statute-book. There were three statutes which might be thought to apply to the case,—that on the subject of tutors, that on professors, and that on the powers of the Vice-Chancellor. He held that the first of these might apply to such a case, but that in the present instance it would be improper to apply it, as no complaint had been made by the College, and there were no grounds to suspect collusion. The second, he thought, did not apply at all, as it was only intended to restrain the teaching of professors in their professorial character and in their dealings with their pupils. The third statute—that on the powers of the Vice-Chancellor—was very vague in its terms. It might empower him to judge this case, and therefore he could not allow the protest, which altogether denied his jurisdiction; but

he thought it left him a discretionary power, and in the exercise of this power he declined to go forward with the case. He should not call on the promoters to exhibit articles. It confirmed him in this exercise of his discretion to find that there appeared by the archives to have been only one case since the year 1600, when a trial for heresy had taken place in this Court. That was a trial for a blasphemous libel, which was an offence against the common law. He had the less reluctance in deciding as he had done, because, if he was wrong, there was a ready remedy, and he would be set right by a higher tribunal. His judgment was that the protest was disallowed, but the case would not be permitted to be carried further.

Mr. Digby Latimer, on the part of the promoters, gave notice of appeal.

Mr. Pottinger applied for the costs of the defence.

The Assessor refused the application.

The appeal was afterwards abandoned.

## MARCH.

7. RECEPTION OF THE PRINCESS ALEXANDRA OF DENMARK.—For several months it had been known that a marriage was in contemplation between His Royal Highness the Prince of Wales and the Princess Alexandra of Denmark; the preliminaries were settled during the visit to the Continent paid by Her Majesty in the autumn of 1862, and in consequence the Princess became for a short time the guest of the Queen at Osborne in November. The Princess, who was born December 1, 1844, is the eldest daughter of Prince Christian of Denmark (of the House of Schleswig-Holstein-Sonderbourg-Glücksbourg), by the Princess Louisa, the daughter of the Landgrave William of Hesse; her names are, Alexandra Caroline Maria Charlotte Louisa Julia. Her father was at this time, in virtue of the hereditary law of July 31st, 1853, heir-presumptive to the throne of Denmark, and also commander-in-chief of the Danish cavalry. In the month of February of the present year, the marriage treaty having been concluded, both the King and people of Denmark expressed their satisfaction by making valuable presents to the Princess, the King himself bestowing on her, among other gifts, a diamond necklace, to which is appended a fac-simile of the famous Dagmar cross, and the Princess expressing her sense of the affection shown to her on leaving her home by bestowing a sum of 3000 thalers, to be apportioned as dowry among six brides belonging to the poorer classes.

The departure of the Princess from Copenhagen took place on the 26th of February, when all the houses from the royal palace to the railway station were adorned with garlands and hangings, and decorated with English and Scandinavian flags, and immense crowds thronged the streets. Her Royal Highness, with her parents and her eldest brother, Prince Frederic, occupied an open carriage, escorted by the Hussars of the Guard; flowers were thrown from the windows of the houses along the route, and a guard of honour was stationed at the railway terminus, which was handsomely decorated. All the Ministers and high functionaries, the municipal authorities and the *élite* of Copenhagen, were assembled at the station. The Chief President of Copenhagen delivered a farewell address, for which Prince Christian, the father of the Princess, returned thanks. The royal party proceeded through Korsøer, Kiel, Hamburg, Hanover, and Coblenz, and reached Brussels in the afternoon of the 2nd of March, where they were received at the railway station with great ceremony by the Duchess of Brabant, the Count of Flanders, the Burgomaster of Brussels, and the English and Danish Ambassadors. The royal party and suite were afterwards conducted in ten state carriages through the city to the palace, where they remained for the two following days. They left Brussels on the morning of the 5th, the English Minister, the Grand Marshal of the Belgian Court, &c., accompanying them to Antwerp, where they embarked on board the "Victoria and Albert" royal yacht, and proceeded towards Flushing, at which port a squadron of escort had been assembled some days before, under the command of Rear-Admiral Smart, K.H. It consisted of the "Revenge" (flag-ship), 73, Capt. Fellowes; "Warrior," 40, Capt. Hon. A. Cochrane; "Resistance," 16, Capt. Chamberlain; and "Defence," 16, Capt. Phillimore; the "Trinculo," tender to the "Revenge," was also in attendance.

On the evening of the 4th, the officers of a Dutch man-of-war and the chief inhabitants of Flushing gave a ball to the officers of the English squadron. The night was very bright and clear; the moon was at the full, and there was not a cloud in the sky. The experience of Admiral Smart, however, induced him to doubt the continuance of fine weather, and led him to order the squadron to prepare for sea a day sooner than was at first intended. At 2.30 p.m., the next day, the "Revenge" steamed away, and the "Warrior" quickly followed. This of course was disappointing to the people of Flushing, as it plainly indicated that the royal yacht would pass on, and not anchor in their roads. The "Resistance" and the "Defence" remained at their anchorage, ready to salute. It was nearly eight o'clock before the "Victoria and Albert," which had passed Flushing without stopping, drew near the two chief vessels of the escort. Instantly a gun from the flag-ship was answered by another from the "Warrior," and then both ships fired the royal salute of twenty-one guns, the yards

were manned, and, as the thick clouds of smoke rolled away, rockets rushed upwards in answer from the royal yacht, and, falling, burst into a magnificent shower of varied colours. There was, however, no slackening of the pace. The "Warrior," with all her ten boilers working, had come up with the "Revenge," and kept her astern; but a still faster competitor had now to be struggled with. The night was as calm and lovely as one of midsummer. The sea was as smooth as a mirror, and there was scarcely a breath of wind stirring. It was wisely judged to take advantage of such an opportunity for the passage of the Princess; and, if the people of Flushing were disappointed, at any rate those of Margate had an unexpected pleasure in store for them.

The "Victoria and Albert," with which the little Trinity yacht "Irene" kept up very well, had but just passed the "Warrior," when the English lights were seen ahead. The race continued, and before midnight the royal yacht had anchored in Margate roads. At eight o'clock a.m., on the 6th, the "Revenge" and "Warrior" were dressed with flags, and again fired a royal salute. It was well that the Princess had crossed. For some days, despite the exceeding beauty of the weather, the barometer had been falling, and nautical men predicted a gale of wind. These anticipations were now realized; and during the whole day there was a succession of fresh south-westerly gales. The Corporation of Margate embraced the opportunity of visiting the royal yacht, and presenting an address of welcome. The "Warrior" left her anchorage at Margate about half-past one p.m., the "Revenge" remained at her station, and the royal yacht, with the "Irene," started somewhat later in the day for the Nore. The squadron was sighted from Sheerness shortly after four o'clock, when the several vessels of war stationed at the Nore—the "Formidable," 84, Capt. Luard, the flag-ship of Vice-Admiral Sir W. Hope Johnstone, K.C.B.; "Cumberland," 70, Capt. Thompson, guard-ship to the steam reserve; and "Leander," 51, Capt. Crewe Read—manned their yards, displayed the Danish flag, and saluted; and at Sheerness some illuminations were displayed as the night advanced; several large bonfires were lighted up along the beach, the word "Welcome," in letters ten feet high, was illuminated with blue lights, and a long procession of torch-bearers paced for hours up and down on the sea-wall.

The next morning the royal yacht, at less than half-speed, followed by the "Warrior," proceeded up the Thames, under salutes from the floating batteries in Leigh Reach, and arrived at Gravesend at noon. The "Emerald," 35, Capt. Cumming, and "Raccoon," 22, Capt. Count Gleichen, were waiting to receive the royal yacht, dressed in colours, and with yards manned, each ship also having, standing on the fore, main, and mizen truck, a boy waving small flags. The "Warrior" anchored at Gravesend at about a quarter-past twelve, and at half-past twelve Her Royal Highness, accompanied by the Prince of Wales (who had that



morning travelled from Windsor to meet her), landed under royal salutes fired from the ships of war.

Mrs. Sams, the wife of the Mayor, presented Her Royal Highness with a bouquet-holder, filled with choice flowers, and an address from the Corporation was offered by the Recorder. The Princess's path to the royal carriage was strewed with flowers by a number of young ladies, all uniformly dressed in white tarlatan skirts, red burnous cloaks, straw hats garlanded with oak-leaves and acorns, and white satin shoes, their dresses being trimmed with white rosettes made of Coventry ribbon. The *cortège* consisted of six carriages drawn by four horses each. The Prince of Wales and the Princess Alexandra and the parents of the Bride occupied the first carriage, the remainder being occupied by their attendants. The route through the streets was kept by the Kentish volunteer force, and the Prince and Princess took leave of Lord Sydney and the municipal authorities at the railway station. Large crowds of people collected at the stations through which the royal train had to pass, and the Prince and Princess were every where greeted with genuine bursts of English cheering.

At the Bricklayers' Arms Station, seats covered with crimson cloth had been erected for 600 or 700 persons. A boudoir and ante-chamber were superbly fitted up for the reception of the royal party.

The Duke of Cambridge, the Prince of Prussia, the Duke of Saxe-Coburg, the Count of Flanders, Sir George Grey, the Lord Mayor and Sheriffs, Sir Richard Mayne, Mr. Layard, and others, were on the platform in readiness to receive the royal train. When the Prince and Princess descended from their carriage they were received with the heartiest cheers. As soon as the Princess Alexandra, leaning on the arm of the Prince of Wales, arrived opposite the reception-room, the Hon. Mrs. Byng presented her with a bouquet. An elegant *déjeuner* was very hurriedly served in an inner room, richly furnished as a luncheon apartment, and half a dozen addresses were hastily delivered. Precisely at two, the Duke of Cambridge led the way to the carriages, and the procession was formed, and left the station at a good pace at five minutes past two. Major-General Crauford commanded the infantry at the station, Major-General Lawrenson the cavalry, and Colonel Sir David Wood, K.C.B., the Royal Horse Artillery.

The royal *cortège*, on leaving the station, was preceded by the carriages containing the Lord Mayor and the Sheriffs, the High Bailiff of Southwark, and others, escorted by detachments of the Horse and Life Guards. Six royal carriages followed, containing the royal party and their attendants. The road along the route of the procession was densely crowded with spectators, and the streets were decorated with flags and triumphal arches. At the south side of London-bridge the Southwark portion of the procession moved off to the right, leaving the Lord Mayor and Sheriffs,

with a numerous attendance of the City companies, to head the royal party through their district.

London-bridge presented a most striking spectacle. The Corporation had here lavished all that taste and ample means could bestow. Venetian masts, surmounted by the Danish emblem, castellated elephants and ravens, apocryphal but striking medallions of the ancient kings of Denmark, and a hundred tripods with store of incense, culminated in the towering triumphal arch, seventy feet high, near Fishmongers' Hall. This arch spanned the entire thoroughfare; and the luxuriance, not to say confusion, of its allegorical devices—including statues of Saxo Grammaticus, Holberg, Thorwaldsen, and Juel; a colossal equestrian group of horses in plaster as a finial ornament; the enormous centre-piece in gold and colours displaying Britannia, and, apparently, all the heathen gods and goddesses, and the portrait of Her Majesty in a widow's dress, the whole garnished with banners and heraldic scutcheons—was calculated to perplex the beholder, but the effect was undeniably striking. The Hon. Artillery Company appeared in full force, and the London Rifle Brigade and other Volunteer corps were also on the ground, but their efforts to preserve order were not altogether successful. At the Mansion House, seats for the accommodation of seven hundred persons had been fitted up under the portico and in a projecting gallery, the centre chair of which was occupied by the Lady Mayoress, supported by eight young ladies, who were to take part in the ceremony of presenting a bouquet to the Princess. There was a pause in the procession; the carriage containing the Princess, her espoused, and her royal parents, drew up in front of the Mansion House, and the bouquet was presented, but the pressure of the crowd was so great that considerable delay occurred, and some accidents.

In St. Paul's churchyard, where the large warehouses were most tastefully decorated, a series of galleries, giving ten thousand sittings, had been erected, and were fully occupied. Nothing could well be more gorgeous than the appearance of this amphitheatre, which had all the aspect of a permanent colonnade running round the cathedral, and was decorated with the utmost splendour. At Farringdon-street a great pennon of scarlet silk stretched right across the thoroughfare; and at the Obelisk were stationed the fire-escape men of the metropolis. Fleet-street was traversed, which was every where decorated with flags, and Temple-bar was converted into a triumphal arch, the upper part representing a tent of cloth of gold. At the crown of the arch appeared a medallion of the Prince of Wales and the Princess Alexandra; at each corner were tripods sending forth balmy odours; over the footway were figures holding forth orange blossoms; at the top appeared initial letters of the Prince and Princess, together with other devices, the arms of England being constantly repeated.

The City procession turned off up Chancery-lane, and the royal carriages were henceforth preceded by the High Steward, the

Dean of Westminster, &c., as far as Hyde-park, where they also took their leave; in this part of the route the police and the military were much more numerous than in the City, and as the procession was also greatly reduced in dimensions, its progress was comparatively unimpeded and rapid.

The great club-houses in Pall Mall had, for this day, thrown open their doors to ladies, who filled the galleries erected for their accommodation. Marlborough House, at the end of Pall Mall, was pointed out by the Prince to the Princess, as was also Lord Palmerston's mansion in Piccadilly. Lady Palmerston took her seat on the balcony at an early hour to see the regiments of Volunteers march past to Hyde-park, which they did with bands playing. At her side was seated the Premier, who was in excellent health and spirits; and, as the royal party passed, the noble lord and his lady, together with the Duke of Somerset, the Earl of Shaftesbury, Mrs. W. Cowper, and a brilliant assembly, greeted the Princess, who most graciously acknowledged the salute, as did the rest of the royal party.

The mansions of the Comte de Flahault, the Duke of Cambridge, the Earl of Cadogan, and the Earl of Roseberry, were all tastefully decorated, but were outdone by the town-house of Lord Willoughby d'Eresby. A line of flags of all nations, banners from every window, and three draped compartments under the drawing-room windows,—one of white and gold, and the others having a blue ground studded with stars of gold,—and the whole exterior tastefully ornamented with evergreens, made up one of the best sights on the line of the procession.

Within Hyde-park, portions of more than one hundred Volunteer corps, amounting to about 17,000 men, were drawn up in a double line on each side of the route, through which the royal party passed, and at ten minutes past five entered the Great Western Railway station at Paddington, amid the most cordial greeting from some fifteen hundred persons who had been accommodated with seats on the platform. In five minutes the train started, and proceeded to Slough, where the royal party were received by the Princes of Prussia and Hesse, and the youthful Princes Leopold and Arthur. The Lord-Lieutenant of the county and other officials were also in attendance. Evening was now drawing on, and heavy rain came on, so that the rest of the journey was performed in closed carriages.

It was past six o'clock before the party reached Eton. It had been intended by the College authorities to present an address, but the rain and the lateness of the hour prevented it. In the place of a formal address, however, the Eton boys gave nine hearty cheers. The *cortège* passed on, and speedily reached the triumphal arch in Windsor, where it was joined by the members of the Corporation. There were six royal carriages. The Princess was in the first, which was escorted by a company of Life Guards. The Princess did not appear at all fatigued, but bowed to the cheers with which she was greeted all along the route, with as much spirit as though



it had been the beginning and not the termination of the long day's journey. All through Windsor she was greeted with enthusiastic shouts, and those shouts must have rung in her ears as she entered the portals of Windsor Castle.

In one of the rooms of the Castle, looking out upon the entrance drive, the Queen anxiously awaited the coming of her royal daughter, for an hour or more before dark, with the young Princesses Louise and Beatrice, and it was not until it became too dark to note what was going on below that the group on which all eyes were fixed retired.

In the evening, spite of the rain, which still descended in torrents, the town was illuminated, and conspicuous to all the country for twenty miles round was the Castle on the hill, for every window was a blaze of light, in brilliant welcome of the young Princess who had just arrived within its walls.

The next morning (Sunday) Her Majesty, the Queen, their Royal Highnesses the Prince of Wales, the Crown Prince and Princess of Prussia, Prince and Princess Louis, Princess Helena, Princess Louise, Prince and Princess Christian of Denmark, Princess Alexandra, Princess Dagmar, Prince William and Prince Frederic of Denmark, and the ladies and gentlemen in attendance and visitors, attended divine service in the private chapel. The Bishop of Oxford preached the sermon, on the text "Rejoice with them that do rejoice, and weep with them that weep."

On the afternoon of the next day the Lord Mayor and certain other members of the Corporation of London arrived at the Castle, and presented to the Princess Alexandra a diamond necklace and earrings, valued at 10,000*l.*, accompanied by an appropriate address. A *déjeuner* was served to the deputation in the Tapestry-room.

After the Corporation had made their present, the Prince of Wales and the Princess Alexandra drove out in an open carriage. On the arrival of their Royal Highnesses opposite Eton College they were saluted by the hearty cheers of the Eton boys, who had turned out *en masse*, while the Eton College Rifle Corps, commanded by Captain Rickards, were also drawn up, and gave a good "present" as the carriage passed. This display of loyalty was most graciously acknowledged by the Princess. Their Royal Highnesses drove through Slough to Datchet, and returned to the Castle by the way of the Long Walk. In the evening a grand dinner (which was served on the State service of silver-gilt) was given in St. George's Hall. Her Majesty had afterwards an evening party. At night there was a magnificent display of fireworks in the Home-park, to which many thousands of people congregated—the populace occupying the Park, the Castle-terrace being crowded with persons admitted by tickets issued by Colonel Biddulph, and the windows of the State apartments being occupied by the Queen's guests, who seemed to be extremely delighted with the spectacle. It was near midnight before this pyrotechnic exhibition concluded.

10. THE ROYAL MARRIAGE.—This auspicious event took place



in the Chapel Royal, at Windsor Castle, in the presence of a very numerous assembly, Her Majesty, attended by the Hon. Mrs. Bruce, being also present in the royal closet, but arrayed in widow's weeds, and taking no part in the brilliant ceremonial.

Half-past twelve o'clock was appointed for the commencement of the marriage service, and at half-past eleven the first part of the procession, consisting of the royal guests, set out for the Chapel Royal. The first, second, and third carriages of the seven which formed this section of the procession, contained military gentlemen, equerries, and other high officials in attendance upon the royal guests; in the other four carriages were:—

The Maharajah Dhuleep Singh, Prince Edward of Saxe-Weimar, and the Prince of Leiningen; the Duke of Holstein-Glücksbourg, Prince William of Denmark, Prince Frederic of Hesse-Cassel, and Prince Augustus of Saxe-Coburg and Gotha; Princess Dagmar of Denmark, Prince Frederic of Denmark, and the Duchess of Brabant; the Count of Flanders, the Princess Christian of Denmark, the Princess Thyra of Denmark, and Prince Waldemar of Denmark.

At a quarter to twelve o'clock the procession of the Royal Family and the Queen's Household left the Castle. Lords and ladies in attendance filled the first six carriages, after which came—

Seventh carriage—The Princess Mary of Cambridge and the Duchess of Cambridge.

Eighth carriage—The Prince Leopold, Prince Arthur; Mr. Buff, Tutor to Prince Leopold, and Major Elphinstone, Governor to Prince Arthur and Prince Leopold.

Ninth carriage—The Princess Helena, the Princess Louise, and Lady Caroline Barrington, the Lady Superintendent, Bearer of the train of Her Royal Highness Princess Helena.

Tenth carriage—The Princess Beatrice, Prince Louis of Hesse, and the Princess Louis of Hesse.

Eleventh carriage—The Crown Princess of Prussia, and His Royal Highness Prince William of Prussia.

The third *cortége* was the "Procession of the Bridegroom," which started at noon. It consisted of six carriages, of which the first five were filled by the various noble officials, and in the sixth were His Royal Highness the Reigning Duke of Saxe-Coburg and Gotha, His Royal Highness the Crown Prince of Prussia, supporters of the Bridegroom, and His Royal Highness the Prince of Wales.

Lastly, at a quarter-past twelve, the "Procession of the Bride" set out, which was composed as follows:—

First carriage—Colonel Charles Tyrwhitt, Equerry to His Royal Highness the Duke of Cambridge; Colonel W. H. F. Cavendish, Groom in Waiting to the Queen, in attendance on His Royal Highness Prince Christian of Denmark; Captain Castenschjöld, Gentleman of the Bedchamber to His Majesty the King of Denmark, Adjutant to His Royal Highness Prince Christian of Denmark.

Second carriage—Countess Reventlow, Lady in attendance on Her Royal Highness the Bride; Lieutenant-General the Hon.

Charles Grey, Equerry to the Queen, in attendance upon Her Royal Highness the Bride; the Viscount Castlerosse, the Vice-Chamberlain.

Third carriage—General d'Oxholm, Chamberlain to His Majesty the King of Denmark, in attendance on Her Royal Highness the Bride; Madame d'Oxholm, Grande Maitresse of the Court of His Majesty the King of Denmark, in attendance on Her Royal Highness the Bride; the Danish Minister.

Fourth carriage—His Royal Highness the Duke of Cambridge; His Royal Highness Prince Christian of Denmark; and the Bride.

The Guard of Honour in the Castle-yard consisted of the Coldstream Guards, the Berkshire Volunteers forming the guard outside the gates.

Shortly before noon the Primate, the assisting suffragan bishops, and the clergy of St. George's entered in procession. The prelates and clergy advanced directly to the altar, the Archbishop to the north side, the Dean of Windsor to the south. The Bishops of London and Chester took up their positions between the Archbishop and the altar rails; behind, north and south, were ranged the canons and minor canons. The altar was richly decorated with massive golden sacramental plate, golden candlesticks, superb alms-dishes, costly flagons, and several quaint and highly-wrought chalices and patens. The new alabaster reredos, dressed at the extremities with hanging crimson velvet curtains, looked most beautiful, and stood out, with its three elaborate panels of Christ and the Woman of Samaria, Christ's Ascension (in the centre), and Christ's Institution of the Holy Communion, most effectively. Above it, the new east window, radiant in its completeness, gave a tone and warmth to the choir such as it has long needed.

The dress of the Princess Alexandra was a petticoat of white satin trimmed with chatelains of orange blossoms, myrtle, and bouffants of tulle with Honiton lace; the train of silver moiré antique trimmed with bouffants of tulle, Honiton lace, and bouquets of orange blossom and myrtle; the body of the dress trimmed to correspond. Her Royal Highness wore a veil of Honiton lace, and a wreath of orange blossom and myrtle; the necklace, earrings, and brooch of pearls and diamonds, which were the gift of His Royal Highness the Prince of Wales; rivière of diamonds, given by the Corporation of London; opal and diamond bracelet, given by the Queen; diamond bracelet, given by the ladies of Leeds; and an opal and diamond bracelet, given by the ladies of Manchester. The bouquet was composed of orange blossoms, white rosebuds, lilies of the valley, and rare and beautiful orchideous flowers, interspersed with sprigs of myrtle, sent specially from Osborne by command of the Queen; the myrtle having been reared from that used in the bridal bouquet of Her Royal Highness the Princess Royal. The lace for the wedding dress of Her Royal Highness the Princess Alexandra was of Honiton manufacture, and was designed and executed by Messrs John Tucker and Co., of Branscombe, near

Sidmouth. It was composed of four deep flounces of exquisite fineness, nearly covering the dress, with lace for train; veil and pocket-handkerchief *en suite*. The design (made by Miss Tucker) is a sequence of cornucopiæ, filled with rose, shamrock, and thistle, arranged in festoons, and interspersed with the same national floral emblems.

His Royal Highness the Prince of Wales wore a full General's uniform, with the stars of the Garter and the Indian Order. The ribbon and band of the Golden Fleece was worn round his neck. Over the uniform His Royal Highness wore the mantle of the Garter, with the collar of gold and enamel of the Order.

The following was the order of the procession of the Bridegroom and Bride:—

#### PROCESSION OF THE BRIDEGROOM.

Drums and Trumpets.  
Sergeant Trumpeter.

Norroy  
King of Arms.

Clarenceux  
King of Arms.

Secretary to His Royal Highness the Bridegroom,  
Mr. Herbert W. Fisher.

The Grooms of the Bedchamber to His Royal Highness the Bridegroom,  
Mr. Charles L. Wood and Hon. Robert H. Meade.

The Lords of the Bedchamber to His Royal Highness the Bridegroom,  
the Lord Alfred Hervey, the Earl of Mount Edgumbe.

The Comptroller and Treasurer of the Household of His Royal Highness the  
Bridegroom, Lieutenant-General Knollys.

The Groom of the Stole to His Royal Highness the Bridegroom,  
the Earl Spencer.

#### THE BRIDEGROOM,

Supported by his brother-in-law, His Royal Highness the Crown  
Prince of Prussia, K.G., and by his uncle, His Royal Highness  
the Reigning Duke of Saxe-Coburg and Gotha, K.G.

Followed by the Equerries of His Royal Highness the Bridegroom,  
Major C. Teesdale, C.B., V.C., Capt. G. H. Grey, and  
Lieut.-Colonel F. C. Keppel.

The Gentlemen in attendance upon His Royal Highness the Crown Prince of Prussia,  
Colonel von Obernitz and Captain von Lucadou.

Groom in Waiting to the Queen in attendance on His Royal Highness,  
Lieut.-General Sir Henry J. W. Bentinck, K.C.B.

The Gentlemen in attendance upon His Royal Highness the Reigning Duke of  
Saxe-Coburg and Gotha, the Baron von Wangenheim, the Baron Gruben,  
M. de Schleinitz.

Equerry to the Queen in attendance on His Royal Highness the Reigning Duke of  
Saxe-Coburg and Gotha, Colonel the Hon. Dudley C. F. de Ros.

#### PROCESSION OF THE BRIDE.

Drums and Trumpets.  
Sergeant Trumpeter.

Herald.

Herald.

Master of the Ceremonies,  
Lieut.-General the Hon. Sir Edward Cust, K.C.H.

The Members of the Danish Legation,  
Mr. C. A. Gosch, and Captain de Falbe.

The Danish Minister, Mons. Torben de Bille.

The Vice-Chamberlain of the  
Queen's Household,  
The Viscount Castlerosse.

The Lord Chamberlain of the  
Queen's Household,  
The Viscount Sydney.

## THE BRIDE,

Supported by her Father, His Royal Highness Prince Christian of Denmark,  
and by His Royal Highness the Duke of Cambridge, K.G.

## THE TRAIN OF HER ROYAL HIGHNESS,

|  |                           |
|--|---------------------------|
| Borne by eight unmarried Daughters of Dukes, Marquises, and Earls. |                           |
| The Lady Victoria Scott.   | The Lady Diana Beauclerk. |
| The Lady Elma Bruce.   | The Lady Victoria Howard. |
| The Lady Emily Villiers.   | The Lady Agneta Yorke.    |
| The Lady Feodore Wellesley.  | The Lady Eleanor Hare.    |

Ladies and Gentlemen in attendance upon Her Royal Highness the Bride,  
General d'Oxholm, Chamberlain to His Majesty the King of Denmark.

Madame d'Oxholm, Grand Maitresse of the Court of His Majesty the King of Denmark.

The Countess Reventlow.

Equerry to the Queen in attendance upon Her Royal Highness the Bride, Lieut.-General the Hon. Charles Grey.

Adjutant to His Royal Highness Prince Christian of Denmark, Captain Casten-schjöld, Gentleman of the King's Bedchamber.

Groom in Waiting to the Queen in attendance on His Royal Highness the Prince Christian of Denmark, Lieut.-Colonel W. H. F. Cavendish.

Equerries to His Royal Highness the Duke of Cambridge, Colonel Charles Tyrwhitt, Lieut.-Colonel Henry Clifton.

On reaching the *haut pas*, having made a deep and reverent courtesy to the Queen, the Bride took her place towards the north, her bridesmaids clustering in a circle behind her, while Prince Christian stood immediately to her left, the Duke of Cambridge behind her. The band and organ having performed Handel's march from "Joseph," next followed the chorale composed by the Prince Consort, and sung by the choir, during the performance of which the ringing notes of Jenny Lind's voice came out clear and strong, rising superior to all other sounds. The chorale having ended, the Archbishop advanced to the centre of the altar rails and began the service, words of which were heard distinctly by persons standing at the extremity of the nave. As the service proceeded it was evident that its solemn words filled Her Majesty's mind with deep emotion, and called up tears. When the question came, "Wilt thou have this woman to be thy wedded wife?" the Prince's response, "I will," was very faintly heard, and the corresponding response of the Princess must have been audible alone to the Archbishop. But when the declaratory sentence was repeated—"I, Albert Edward, take thee, Alexandra Caroline Maria, to be my wedded wife"—the words were repeated audibly, so that every ear in the chapel could follow them. The Princess, though in a softer key, but with not less distinctness, made the declaration. On the Archbishop asking, "Who giveth this woman to this man?" Prince Christian merely bowed assent, leaving his Grace to join the Bride's and Bridegroom's hands himself. When the ring was put on, the distant guns and pealing bells of Windsor sounded through the chapel. Then, at the prayers, every knee in the chapel was bent, and the Prince and Princess, with joined hands, leaned upon the altar rail. The Archbishop next advanced, and laying his one hand on those clasped together, with the other



slightly upraised to heaven, he spoke the momentous words, "Those whom God hath joined together let no man put asunder." After the first benediction of the service, when the Psalm was arrived at, "God be merciful unto us, and bless us," it was chanted by the full choir in a very effective and most impressive manner.

After the service was formed the "United Procession of the Bride and Bridegroom," the choir singing Beethoven's Hallelujah Chorus, from the "Mount of Olives," as the august bridal pair left the Chapel. Their Royal Highnesses the Bride and Bridegroom occupied the second carriage alone, being preceded only by a carriage containing the Groom of the Stole, the Master of the Horse, the Lord Chamberlain, and the Lord Steward. The illustrious visitors and others already named in the procession of the Bride and Bridegroom followed in ten carriages; and after them the royal guests.

The Bride and Bridegroom returned from St. George's Chapel to the Castle at twenty-five minutes past one o'clock, alighting at the Grand Entrance, where they were met by Her Majesty the Queen. The royal party were conducted to the Green Drawing-room and White-room, where the attestation of the marriage took place by the royal guests, the Church dignitaries, the Lord Chancellor, and other Ministers of the Crown, and the Danish Minister, M. de Bille. The wedding breakfast was afterwards served in the Dining-room to the royal guests, and in St. George's Hall a *déjeûner* was served to the Diplomatic Corps, the Ladies in Waiting, and to the numerous company present at the ceremony, amounting to about 400 persons. Besides the magnificent wedding cake on the royal table, a second wedding cake was placed in the middle of the table in St. George's Hall, weighing about eighty pounds.

At four o'clock the Bride and Bridegroom took their departure for Osborne. Their Royal Highnesses entered an open carriage drawn by four cream-coloured horses, and drove slowly round the quadrangle of the Castle, many of the ladies and gentlemen of the Queen's Household being present to witness the departure, and then proceeded to the South-Western Railway Station, where they were received by the Directors. The Princess Royal was there to take leave of them, and they almost immediately started for Southampton, *viâ* Reading. As soon as the royal couple had reached their carriage, the Eton boys—of whom a few of the seniors had been previously admitted—fairly, to the number of three or four hundred, broke bounds, and rushing over, at the back of the benches on the left of the platform, betook themselves to the farther end. As they went, the royal train, at a signal from the superintendent of the station, started slowly, very slowly, along the edge of the platform, the Coldstream band playing first the English and then the Danish national airs, and then rose a cheer of farewell—a cheer prompted by happy hearts, a cheer which their Royal Highnesses evidently felt deeply, as they stood side by

side in the saloon bowing their acknowledgments to the company. But this was not enough for the Eton boys; they wanted especial recognition, and they were graciously favoured with it, for the Prince, just when the carriage had passed, leant forward, and made them a profound and hearty bow, which had the effect of redoubling the parting vociferations, amid which the royal train glided noiselessly away, and was speedily lost in the distance.

On the journey the demonstrations were most enthusiastic. At Reading 20,000 people assembled. The train stopped, and Lady Emma Cust (wife of the Vicar of St. Mary's) presented a splendid bouquet on behalf of the ladies of the town, while a woman about seventy years old gracefully presented a bouquet from the aged poor. At Southampton, where the station was profusely decorated, the Corporation presented an address. The yacht "Fairy," commanded by Captain Seymour, C.B., with the Bride and Bridegroom on board, steamed away from the dock-quay at half-past six, through an avenue of the Royal Mail steamers, which were crowded with company, and proceeded on her way to Osborne, while the ships of war stationed in the harbour and the platform-batteries of the town fired royal salutes during the passage down the river. Their Royal Highnesses reached Cowes at ten minutes past seven, when an address was presented from the Mayor and Corporation of Ryde. The royal carriages were in waiting at the Trinity-house landing-place, and in a few minutes the Prince and Princess were driven to Osborne House.

An Extraordinary Gazette, of the 18th of March, gave an official list of the names of those who signed the registry books of the Chapel Royal as witnesses to the ceremony, from which it appears that no less than twenty-six Royal or Imperial signatures were affixed to that document.

The wedding day was observed as a holiday in every part of the kingdom, and very large sums were spent, partly in illumination and fireworks, and partly in entertaining school children and the poor.

In all the principal streets of the metropolis the illumination was very general, and especially brilliant in those through which the royal pageant had passed. The people turned out to witness it in incredible numbers, and roamed about until an advanced hour, the great bulk of them being on foot. The shops and warehouses were generally closed, and the day was observed as a holiday. For a time considerable impetus must have been given to the Coventry ribbon trade, for people of almost every age and degree wore rosettes on the occasion.

Most of the public buildings in the City were lighted up. Along the balustrade at the top of the Mansion House tripods emitting volumes of flame were placed at intervals; along the parapets of London-bridge upwards of 130 tripods emitting flame were placed, illuminating the whole structure, and the triumphal arch at the north end of the bridge was tastefully decorated with gas, which, with a magnificent Prince of Wales's plume and two Brunswick

stars, displayed over the front of Fishmongers' Hall, lighted up the whole neighbourhood. There was also an exhibition of the electric light from the top of the Monument, and the authorities at the Custom-house, the Mint, and the Tower, manifested their loyalty. The dome of St. Paul's was illuminated by the electric and lime light, at a cost of about 200*l*. Fleet-street, the Strand, Charing-cross, and the Government buildings at Whitehall, the National Gallery, Pall Mall, with its splendid Club-houses, Regent-street, and Bond-street, and Piccadilly shone with a blaze of light, and exhibited a great variety of tableaux decorations and devices, which attracted enormous crowds of passengers and interminable lines of carriages, which completely blocked up all the leading thoroughfares. At such a time of universal rejoicing it is sad to have to state that a deplorable loss of life occurred in the City of London. Six persons, all of them women, were crushed or trodden to death in the vast crowd which was attracted out of doors on that occasion, and which roamed about until an advanced hour of the night. Two of the unfortunate creatures met their death near the Mansion House about eight o'clock in the evening, and the remaining four perished at the foot of Ludgate-hill at a later hour. Besides those who thus lost their lives, it was supposed that not less than a hundred others sustained injuries more or less severe from the terrific pressure of the crowd. The Prince of Wales addressed a feeling letter to the Lord Mayor on the subject of these sad accidents. His Royal Highness expressed his deep regret that what was meant for rejoicing should have been turned into an occasion of mourning, and he felt the calamity more poignantly on account of the warm and enthusiastic welcome with which the Princess and himself were received on their passage through the City. The Prince further added his anxiety to do all in his power to relieve the sufferings of those who lost their relatives on that unfortunate occasion, and with that view requested that information as to the condition of those families might be communicated to him.

Throughout the whole kingdom the royal nuptials were celebrated by demonstrations of rejoicing in every form in which the loyalty of the public could find expression. Bonfires, illuminations, triumphal processions, games, banquets, entertainments to the poor, the children of schools, the inmates of workhouses, and other classes, exhibited throughout the whole length and breadth of the land the unanimous joy and satisfaction of the people at the happy marriage of their future Sovereign. In Ireland alone, the brilliant event did not pass over without some shadows. There the royal marriage was for the most part celebrated with enthusiasm. Dublin was illuminated, with one curious exception—the Roman Catholic University was in darkness. The authorities had ordered the illumination, but a portion of the students revolted, and determined that there should be no illumination. Some rioting took place in Dublin, and 150 arrests were made. In the great majority of the cases summarily disposed of, the offenders were sentenced





19. **MUTINY IN A FOREIGN SHIP AT BLACKWALL.**—A mutiny broke out among the crew of the Peruvian ship of war, the “*Arica*,” who were berthed on board the hulk “*Venus*,” at Blackwall, while their own vessel was undergoing repair. The crew consisted of about 160 men, of whom 90 were soldiers. A number of the latter had been ashore during the day, and came on board so excited with drink that they refused to obey their officers. The sailors were armed with muskets and bayonets to drive the soldiers below, and a terrible struggle took place, which ended in two soldiers being killed and several severely wounded. One of the officers was also killed, and one, who was ill at the time, died through the excitement. A strict investigation of the affair was made by the Peruvian commander and officers, and the following day several of the ringleaders were placed in confinement. Two more of the crew died, and some two or three, including an officer and his brother, a visitor, were missing, and it was supposed that they fell or were thrust overboard. Mr. Humphreys, coroner, held an inquiry on the deaths of three of the soldiers, and a gentleman from the office of the Peruvian Ministry attended to watch the proceedings. The evidence elicited from the officers (who were sworn, at their request, upon the hilts of their swords) showed that the accounts were not at all exaggerated, and it was clear that the outbreak was a meditated one, a number of arms having been previously stolen from the armoury and secreted. It appeared that, by permission of Ensign Udall (who has lost his life), several bottles of spirits were taken on board; that, after the usual hour for the men to retire to rest, some of the soldiers were found, with lights, playing cards and quarrelling; that, on one of the officers remonstrating with them on their breach of regulations, the men seized their arms and called to others of their body, who joined them, and the scene before described took place. The jury returned a verdict of “*Manslaughter*” against Emanuel Oliva, one of the marines on board, in the case of the death of the man Cellejas; and of “*Justifiable homicide*” in respect of the deaths of the soldiers Garcia and Vasquez.

— **LAUNCH OF THE “OCEAN.”**—The armour-plated screw-frigate “*Ocean*” was safely launched at Devonport, by her builder, Mr. Peake, in the presence of a large concourse of persons, including the Admiral-Superintendent, Admiral Tucker, Major-General Hutchinson, and Colonel Owen, C.E. She was named by Mrs. Symonds, wife of Admiral T. M. C. Symonds, C.B., Superintendent of the Dockyard.

The “*Ocean*” was originally designed as a 100-gun ship. However, by the time her frame was nearly up, the Admiralty had arrived at the conclusion that as such she would be useless; and therefore sent orders for her conversion to a 35-gun armour-plated frigate. The first duty of Mr. J. P. Peake, the Master Shipwright, on receiving these instructions, was to lengthen the slip 27 ft. The “*Ocean*” was then cut in two amidships, the fore section was

hauled up 20 ft., and five pairs of frames were inserted. The original framework of the stem and stern was taken down, and both were made sharper. The "Ocean" is classed with the "Prince Consort," "Caledonia," "Royal Alfred," and "Royal Oak," all of 4045 tons' burden. She is of quite a different construction from the "Warrior" class, being a two-bowed ship. Her stern, in fact, is as sharp as her bow, which bevels off to an edge. All her ports are embrasured, which affords a much greater protection to the gunners. The ports will also be strengthened with an additional thickness of iron plating. She is to be plated with six rows of plates—one row above the main-deck ports, 3 ft. wide; one row between the ports, 3 ft. 10 in. wide; and four rows under the ports, 3 ft. 1 in. wide. The lower edge of armour-plates will extend to 5 ft. 4 in. below her load water-line. The number of plates will be 275, of which 168 will be of a parallel thickness—viz.,  $4\frac{1}{2}$  inches, and will be fixed on the midship part of her; and the remaining 112 will be fixed at the bows and stern, and will taper from  $4\frac{1}{2}$  to 3 inches in a distance of 40 feet from bow and stern, except in the less exposed parts—viz., under the buttocks, where it will be reduced to  $1\frac{1}{2}$  inch thick. The total weight of the plates is nearly 935 tons. Her upper deck beams are of iron, on which are placed a  $\frac{5}{8}$  iron plate, and then an oak deck on the top. She has also an iron rudder-head. She has no knee or figure-head, but will be fitted with carved work both on bows and stern. The following are her principal dimensions:—

|  | Ft. | In.            |
|--|-----|----------------|
| Length between the perpendiculars . . . . .            | 273 | 0              |
| Length of the keel for tonnage . . . . .               | 232 | $8\frac{5}{8}$ |
| Breadth extreme . . . . .                              | 58  | 5              |
| Breadth for tonnage . . . . .                          | 57  | 2              |
| Breadth moulded . . . . .                              | 56  | 4              |
| Depth in hold . . . . .                                | 19  | 10             |
| Draught of water when ready for sea,—forward . . . . . | 24  | 7              |
| Ditto " " aft . . . . .                                | 26  | 0              |

The number and power of her guns will be as follow:—On her main deck she will carry twenty-four 68-pounders, 95 cwt.; and eight 110-pounders, 82 cwt., Armstrong. On her upper deck, three 110-pounders, 82 cwt., Armstrong.

The "Ocean" will be barque-rigged. Her lower masts and bowsprit are being made of iron at Chepstow. The mainmast will be 83 feet long, 37 inches diameter, and will weigh about 20 tons; foremast, length, 77 feet 6 inches, diameter, 36 inches; mizenmast, 67 feet 8 inches, diameter 24 inches; bowsprit, 25 feet outboard, diameter, 36 inches.

Her engines, made by Messrs. Maudslay, Sons, and Field, of Lambeth, are collectively of 1000-horse power (nominal); the cylinders are 92 inches diameter, with a 4-feet stroke of piston.

— GOLD-FINDING IN SUSSEX.—Mr. Kell, coroner for the Rape of Hastings, held an inquiry "touching the finding and discovery

of certain bars and pieces of gold" in the parish of Mantfield, in East Sussex. Mr. Reynolds, solicitor to the Treasury, was present to watch the inquiry on the part of the Crown; and Mr. W. Savery on the part of two persons supposed to be interested. At the inquest, which lasted five hours, it was elicited that, on the 12th of January last, William Butchers, a labourer, whilst ploughing, turned up what he took to be a quantity of old brass, connected by a series of rings or links, and extending about a yard in length. Each link was about an inch and a half long and an inch wide. Butchers, on weighing it, found that it was a little over 11 lb., and he sold it as old brass to a man named Silas Thomas for 3s. Thomas, in his turn, sold it to his brother-in-law, Stephen Willet, a cab-driver at Hastings, but who had at one time been a Californian gold-digger, and at once recognized the metal as solid gold. Shortly afterwards, suspicion was excited from the fact that both Willet and Thomas appeared suddenly to have become possessed of a large supply of money, and the police were induced to institute inquiries into the matter. The result was that Willet was taken into custody, but afterwards discharged, on the ground that the magistrates had no jurisdiction, and that an inquest before the coroner was necessary. In the mean time, Her Majesty's Treasury, on being apprised of the discovery, directed an investigation to be made, when it was ascertained that Thomas and Willet had taken 300*l.* to the bank at Hastings, and opened an account there; and by tracing back the notes it was found that a cheque had been given to Willet by Messrs. Brown, the gold-refiners, in Cheapside, in payment of a sum of 529*l.* for 123 ounces of solid gold. The jury, at the close of the inquest, returned a verdict to the effect that the gold so singularly discovered was the property of the Queen, and that Butchers, Thomas, and Willet concealed the finding of the same. It is believed that the bars of gold have lain in the field for nearly 2000 years, and that they were ornaments worn by the ancient Celtic kings. Similar bars, which were found in Wales, are preserved in the British Museum.

— THE Duc d'Aumale invited his tenantry and several of the gentry round Evesham to a stag-hunt, which was preceded by a grand breakfast, at which the Duke and Duchess presided, assisted by the Duc de Chartres, Prince de Joinville, and the Duc de Guise. There were 500 horsemen present at the uncarting of the deer.

29. THE PREMIER AT GLASGOW UNIVERSITY.—Lord Palmerston was installed as Lord Rector of the University of Glasgow. In consequence of the eager throng of the citizens, the ceremony was removed from the old College Hall to the neighbouring church of St. John's, which was filled from an early hour by an excited throng of students and ticket-holders, who whiled away the tedious hours of waiting by strains of melody of a character rather different from those which are wont to rise within those walls. On the appearance of Lord Palmerston he was loudly cheered. After

thanking the students for the honour they had conferred on him in electing him to the office of Lord Rector, he proceeded to exercise one of its privileges by lecturing the young men on their studies, and urging them to strain after excellence in all to which they devoted their attention.

After the exciting events of the day, most men would have been glad of a day's rest. It was not so, however, with Lord Palmerston. By ten o'clock the next morning he was again afoot, the object of admiration to an excited crowd that lined the streets through which he drove to the Broomielaw, where he embarked on board the "Wolf," steamer, for a trip down the Clyde. He landed at Greenock, where he was splendidly *fêted*, and returning to Glasgow he addressed a crowded meeting, principally of the working classes, who held a *soirée* in his honour in the City Hall.

Before leaving Glasgow on the 31st, Lord Palmerston was made a member of the Gaiter Club. After that ceremony he proceeded to Edinburgh, where another hearty welcome awaited him.

At one o'clock the freedom of the city was presented to him by the Lord Provost; and, as the Council Chamber was far too limited in space to accommodate those who desired to be present, the ceremony took place in Queen-street Hall. In returning thanks, his lordship reverted to the three precious years in early youth he had spent at the Edinburgh University, and was glad to find that the citizens remembered him "for auld lang syne." His lordship spoke strongly of the advantages arising from municipal institutions, in the preservation of the liberties of the people, and in the education of men to take part in the larger affairs of the nation.

Lord Palmerston then proceeded to the University, at the entrance of which large crowds were collected, who cheered him on his arrival. His lordship was conducted to the Library-hall, where the honorary degree of LL.D. was conferred upon him. His lordship's reply consisted chiefly of a sketch of his own experience at the Edinburgh University and of laudatory remarks upon the University systems of Scotland and England. He dwelt with a natural warmth of feeling upon the associations called up by the sight of those walls, within which, some sixty years ago, he listened, with a goodly array of young men who have long since become famous, to the prelections of Dugald Stewart and Playfair.

At night Lord Palmerston was entertained at a banquet at the Music-hall by the citizens, the Right Hon. the Lord Provost presiding. Among the company present to meet his lordship were the Duke of Argyll, the Duke of Athole, the Earl of Dalhousie, the Earl of Southesk, the Earl of Airlie, the Earl of Fife, the Earl of Dunfermline, Lord Kinnaid, Lord Elcho, the Lord Advocate, the Right Hon. Mr. Cowper, Sir Wm. Dunbar, M.P., Mr. Miller, the Solicitor-General of Scotland, Sir David Brewster, Mr. Baillie Johnstone, and others. After the usual loyal toasts had been drunk, the Right Hon. the Lord Provost briefly proposed the health of the



noble Premier, and the toast was drunk with great cheering. Lord Palmerston, in responding, said that the kindness he had experienced in Scotland had made the deepest impression on his heart and mind. He spoke of the encouragement such honours held out to public men. He referred to his former residence in Edinburgh, and said that he looked back to that period with the most affectionate remembrance; and the associations and friendships which were then contracted he should ever regard as the most valuable of his life. His lordship then spoke of the assistance he had derived in public life from the counsel of men distinguished for their ability and talent. Reference was made to the satisfactory state of our Army and Navy, and to the existence of the Volunteer force. His lordship dwelt long and eloquently upon the moral influence of Great Britain on other nations. There was hardly a single country in Europe, he said, that had not in some shape or other, with some modification or other, institutions formed after the pattern, or at least upon the principles, of her Constitution; and he was proud to say that some of those nations were greatly indebted for the benefits they enjoy to the assistance and countenance which they received from the Government of England. Warm sympathy was expressed for the Poles, and his lordship deeply deplored the unhappy war raging in America: in the former case diplomatic interposition was, however, all that the Government—or the nation at large, he thought—considered advisable; and in the latter case, notwithstanding the sufferings among large masses of our artisans consequent thereon, we had no alternative but to preserve a strict neutrality between the contending parties. Several other toasts were given.

## APRIL.

5. ACCOUCHEMENT OF THE PRINCESS LOUIS OF HESSE.—Her Royal Highness Princess Louis of Hesse (Princess Alice of Great Britain and Ireland) gave birth to a Princess at about a quarter before five this morning. Her Majesty was with the Princess constantly during the night. In the room with the Princess at the birth of the child were Her Majesty the Queen, His Royal Highness Prince Louis of Hesse, Sir Charles Locock, Dr. Farre, and the nurses; and in the next room Sir J. Clark. In the adjoining apartment were Viscount Sydney, Lord Chamberlain; Sir George Grey, Secretary of State for the Home Department; and Baron de Ricou, head of the household of His Royal Highness Prince Charles of Hesse. Intelligence of the happy event was immediately transmitted by telegraph to the Grand Duke and Court of Hesse-Darmstadt, and to the various members of the royal family.

The bulletin stated that the Princess and her child were going on perfectly well.

— FRIGHTFUL ACCIDENT TO AN EXPRESS TRAIN.—An express train on the Great Northern Railway, travelling at the ordinary speed of forty miles an hour, was literally dashed to pieces, and yet, wonderful to relate, no lives were lost, although, of course, most of the passengers were severely hurt. The accident happened close to the Little Bytham station, about seven miles from Stamford. For some distance north of Little Bytham the line runs along a high embankment, which on passing the village itself is elevated above the tops of the adjacent houses. Some fifty yards from the station are a series of what are technically called "coal drops," by means of which coal trains are unloaded of their contents; the coals passing through openings between the rails to the ground below, whence they are carted away. At this point the line appears to be elevated somewhere about 20 feet above the road below. On a siding over the coal drops stood a number of goods vans and cattle trucks at the time of the accident, and to this circumstance must, in a great measure, be attributed the escape of any of the passengers with their lives.

An express train leaves Manchester for London at three p.m., and on this day it consisted of four composite carriages, separated from the tender by a break-van; the rear being brought up by a second break-van, in which was the guard. The number of passengers is understood to have been between twenty and thirty. At six o'clock the train had just passed Little Bytham village, and was within about 150 yards of the station, the speed being, as already mentioned, at least forty miles an hour, when the tire of the leading wheel of the engine suddenly snapped and flew off. The whole train immediately left the main line, ploughed up the ballast, and rushed through the metals of several sidings. The engine struck the first of the vans standing over the coal drops before mentioned. The noise of the shock is described as resembling the simultaneous discharge of a park of artillery, while the dust which was raised temporarily hid what had taken place from the view of those who were looking out from the station hard by. No description can convey any adequate idea of the wreck thus momentarily accomplished. Most of the cattle trucks and goods vans on the siding were completely shattered to fragments, the woodwork being detached from the wheels and strewn all around; strong telegraph poles were snapped like slender reeds, and, to add to the confusion, the wires rendered temporarily useless for communication; the engine and tender were "doubled up" in a way which plainly indicates the terrible force of the collision, while the carriages of the train were shattered and piled about the embankment in a state of ruin which rendered it apparently hopeless to expect that any of the passengers could be found alive. One of the carriages, containing several persons, occupied a most extraordinary position; the wheels at one end were resting across the metals on the verge of the embankment, while the other end was supported by the telegraph wires, and thus prevented from falling a considerable depth.

The accident occurring so near a station, assistance was promptly rendered, and the terrified passengers were extricated from the fragments. Some were drawn through the windows of the dismantled carriages. It was then found that happily no lives had been sacrificed, though many were stunned and bleeding, and were found to be seriously bruised. Charles Clarke, the driver, was thrown with great violence from his place on the engine to the ground, and was very badly hurt. The stoker was thrown from the tender on to the top of one of the goods vans, and was very little the worse for the disaster. The guard also escaped almost unhurt. Several of the slightly wounded passengers returned to their homes by a north train, and others proceeded on their journey by the Leeds express, which came up some time after the occurrence.

But for the obstruction offered by the trucks and vans standing on the siding the whole train must have gone over the embankment.

— FATAL ACCIDENT AT BOTALLACK MINE, CORNWALL.—In one of the wildest parts of Cornwall, and only a short distance from the Land's-end, lies the far-famed Botallack tin and copper mine. It has been worked for upwards of a century, and during that time the various ramifications of shafts, levels, courses, and adits have been worked most profitably in the production of large quantities of tin and copper.

The mine has long been notorious for the extent and depth of its workings; and, while it extends downwards to several hundreds of fathoms, in some parts the roaring of the sea and the tumbling of the boulders may be heard distinctly by the miner while at work. To obviate the difficulty of raising the ore in a perpendicular shaft, and to render the ascent and descent of the miner easier of accomplishment, a diagonal shaft has been constructed through the rock and soil, and extending seawards for about 400 fathoms. This is known as the Boscawen shaft. The incline is raised at an angle from the horizontal line of about thirty-two degrees, and is about six feet high and eight feet wide throughout its entire length. The nature of the soil has rendered it necessary to make the shaft a little bent in some parts, so that the tramway is not exactly straight. This tramway is laid down as far as the 192 fathoms' level, and on it runs what is called among the Cornish miners a "skip"—that is, a kind of carriage, generally made of cast steel or iron, for bringing the ore to the surface, for carrying materials down to the different levels, and for the conveyance of the labourers to and from their underground toil. This skip is connected by a chain to workings at the surface, and is wound round a large "cage" or drum by steam-power as the skip ascends. This cage is under the supervision of a man who is called a "minuter," who notifies, when the alarm-bell is rung, the proper time to stop the engine.

This diagonal shaft occupied four years in excavating, and is a marvellous example of engineering skill, as well as perseverance in

its prosecution by the spirited adventurers. The skip at Botallack is of cast steel, weighing about a ton, and is about two feet six inches high, and will hold eight or nine persons. It was designed by Captain Rowe, of the mine, and manufactured at the Messrs. Holman's foundry, St. Just, and has a perfect arrangement of breaks under it, so that if the connecting chain snaps, the breaks are self-adjusting, grasping the rail on each side, if the handle of the lever is out of the "catch," by which the skip is immediately stopped in its downward course. This break system is described by engineers as being very perfect. To secure a careful supervision of the adjustment of the lever of the breaks, there is a captain of the skip appointed with each company of miners ascending or descending. The neglect of this, and the breaking of the chain, would, of course, be the cause of a serious and fatal accident, as there is nothing to stop the skip from going down over the incline with fearful velocity. The strength of the connecting chain, and a proper attention to the breaks, are the two things necessary in the working of this part of the mine's operations, and must be attended to out of consideration for the safety of the lives of the miners.

In the afternoon on which the disaster occurred, three parties of the miners employed in the mine left their labour for the purpose of coming to the surface of the ground by the skip. One party had gone up, and the second party of nine persons had taken their places in the skip and were proceeding upwards, when at the 130 fathoms' level the chain parted at the surface, and whether in the confusion and dismay which must have arisen from the breaking of the chain the little party of miners lost their presence of mind, and forgot to let the handle of the lever out of the catch, or whether it was a failure of the machinery to do its work, are questions which no mortal can satisfactorily answer. The skip came down over the tramway of the incline, with a trail of about three tons of chain after it, at a terrific pace. It passed the 160 fathoms' level, where the third party were waiting to come up, so swiftly that the bewildered miners could only observe the mere shadow of the carriage, enveloped in a misty cloud. The miners, from the hot air being so disturbed, thought the mine was on fire. These immediately went up over the incline on foot to gain intelligence of their comrades, but it was quickly seen that the lives of the nine persons had been sacrificed. The skip went on its terrific downward course as far as the 190 fathoms' level, and, having passed a "sollar" of woodwork, it reached the bottom of the shaft. It was soon ascertained that all the miners were killed. Their mangled bodies were as quickly as possible brought to the surface, and early on Sunday morning each one was conveyed to its sorrowing home in the parish. When found, the bodies were frightfully mangled, cut, bruised, and crushed, so much so that the disfigurement rendered it a matter of difficulty for persons to recognize the corpses of their relatives. The bodies were found in various parts of the shaft, while four were found at the bottom, and one partly in the



skip—the latter of whom was fearfully crushed. In other parts of the shaft the bodies of some were found, so that it is supposed that some of the unfortunate men must have slipped out over the skip, and may have been killed by the lashing of the chain from side to side of the shaft.

A coroner's inquest was held, and a verdict of "Accidental Death" returned.

— **INUNDATIONS IN THE MIDDLE LEVEL.**—The case "*Coe v. Wise*," an action by one of the sufferers by the Marshland inundation against the Middle Level Commissioners, occupied nearly a week at the Norwich Assizes. The Chief Justice, in summing up, put it to the jury—first, was damage done to the plaintiff by the absence of due care and skill on the part of the defendants in making the sluice; secondly, in maintaining the sluice; thirdly, in providing remedies against mischief after the sluice was destroyed; and fourthly, by reason that no puddle-clay wall was made along each side of the banks of the cut. The jury found a verdict for the defendant on the first issue, and for the plaintiff on the other three—virtually a verdict for the plaintiff. This decision, it was stated, ruled about a hundred cases, involving damages to the amount of 70,000*l*.

6. **THE VOLUNTEER REVIEW AT BRIGHTON.**—The third annual review of the Volunteer forces of London and the South of England took place on Easter Monday, and was even more successful than its predecessors. The force present (beside the 9th Lancers) consisted of 131 corps, which were formed into a cavalry brigade, two brigades of field, and one of garrison artillery, and two divisions of infantry, the first comprising five, and the second four brigades. Major-General Lord William Paulet was in command of the whole force; Lieutenant-Colonel Drysdale, C.B., commanded the cavalry, Colonel Ormsby the artillery, and Major-Generals Russell and Sutton the infantry. The whole force numbered about 20,000 men, of which by far the greater part was conveyed to and from Brighton by railway.

About twelve o'clock Major-General Lord William Paulet took up his position facing the Grand Stand, and on the opposite side of the course he was attended by the following officers, who formed the general staff:—Colonel M'Murdo, Inspector-General of Volunteers, and Colonel Morris, C.B., Lieut.-Colonel Luard, Lieut.-Colonel Ibbetson, Lieut.-Colonel Hume, and Lieut.-Colonel Harman, Assistant-Inspectors. There were a number of other mounted officers present, and the Earl of Chichester (Lord-Lieutenant of Sussex) occupied a position next the commanding officer.

The force intended to represent the enemy in the sham fight first marched past. They were headed by a detachment of the 9th (Queen's Royal) Lancers, and a body of Artillery. The infantry consisted of the Fifth Brigade, numbering nearly 1700 men, and commanded by Lieut.-Colonel Brewster, with Captain M'Lean of the Rifle Brigade, as Brigade Major. The force con-

sisted of the 32nd Middlesex, 3rd City of London, 2nd Tower Hamlets, 4th, 6th, 8th, and 9th ditto, and the 2nd Essex Administrative Battalion.

Next came the Artillery, commanded by Colonel Ormsby. The first brigade consisted of the Hon. Artillery Company, with other metropolitan corps, and the second brigade was composed of local corps.

The infantry came next, the whole force occupying an hour and a half in marching past.

In the sham fight the invading force was represented by the fifth brigade of the first division. This force was supported by the Hon. Artillery Company, with four 6-pounder guns, on the left, and by the 3rd Middlesex, posted in the rear with four 24-pounder guns. The main body, supposed to have landed at Rottingdean, crested the ridge of Pleasant-hill, and appeared marching on London, the heavy guns of the 3rd Middlesex supporting them from Redhill, some distance behind. The right of this force rested upon Woodendean, a farm surrounded by trees; and before it, and extending some distance to the left, ran an irregular fence, along which were ranged the enemy's sharpshooters, composed principally of the Inns of Court Volunteers. The position of Woodendean was strongly occupied by skirmishers, and was well protected by artillery. It was the key of the enemy's position.

The attacking force was composed of two divisions, the second division forming the first line of attack, while the first was drawn up to the rear. The second division was under the command of Major-General Sutton. This division extended from Warren Farm on the right to a position in advance of Baldsdean on the left. There were four guns on each flank of this division, those on the right consisting of two 18-pounders of the 1st Sussex Artillery, and two of the Cinque Ports Artillery; whilst those on the left consisted of four 6-pounders of the 1st Sussex. Behind and to the right of Warren Farm was another battery of artillery, consisting of four 18-pounders belonging to the 3rd Sussex. Far away to the right were the Cinque Ports Artillery, whilst four 18-pounder guns belonging to the 1st Sussex were placed in an advanced position before the right of the attacking force.

The first division was drawn up behind and in support of the second division; Major-General Russell was in command.

There was but a small force of cavalry on the ground, consisting of the 9th (Queen's Royal) Lancers, Lieut.-Colonel Drysdale, C.B., and the 1st Hants Light Horse Volunteers. A detachment of the light cavalry of the Hon. Artillery Company acted as orderlies. The cavalry were with the attacking party, and posted in the valley midway between the hostile forces.

The troops having occupied the various positions assigned to them, the entire view was extremely beautiful. The ground on which they were arranged may be described as an amphitheatre—the invading force occupying the southern hills—Pleasant-hill and

Red-hill, with their backs to the sea—the attacking force planted on the northern hills with their front to the sea. The elevations to the west towards Brighton were occupied by spectators. The strong points of the opposing forces were Woodendean, on which the right of the enemy or invading force rested, and Warren Farm, on which the right of the attacking army rested—both positions being strongly supported by artillery, which swept the intervening valley. The question was, which would be able to descend the valley and drive his opponent from the commanding hills.

A few minutes before two o'clock the enemy's guns on Pleasant-hill opened fire on the advancing battalions, and soon afterwards the Inns of Court sharpshooters, under cover of the wood and fence, began to fire on the skirmishers thrown out by the attacking force, while the heavy artillery from Red-hill kept their advancing columns in check. By this heavy discharge the skirmishers of the attacking force were checked and driven in. Their cavalry then advanced in support, whilst their guns thundered from the north, but the cavalry were stopped at the foot of the ascent of the hill by the well-directed fire of the sharpshooters, and they retired. After a time they again advanced and drove the invaders towards Ovingdean, where they formed squares to resist cavalry. This brought the proceedings of the day to a close, and the whole body of Volunteers was conveyed by railway to their respective destinations, happily without any casualties ; but several severe accidents, and the loss of two lives, occurred among the spectators.

8. WOLF-HUNTING IN FRANCE. — His Grace the Duke of Beaufort having taken his hounds over to France to try them in wolf-hunting, had a meet at the Bois des Cartes, where they heard of three wolves that had just been seen. The hounds were at once laid on. The field of between 300 and 400 gentlemen on horseback (all the sporting world of France being there), in their over zeal to be up with the hounds, got rather before them, and on the line, so that there was some difficulty in forcing the wolf into the open plains, as the Duke wished, and they only ran from small wood to small wood, about ten miles from point to point, for two hours and ten minutes. The wolf, much exhausted by the intense heat, lay down for a time, and there was a long check, when suddenly they found him again. Contest and Paradox went at him, and, rolling him over, the rest of the pack joined in, and killed him. He was not an old wolf, and took "a great deal of killing," as they are very tough in the skin.

— TRIAL FOR THE ACTON MURDER.—(*Central Criminal Court. Before Mr. Baron Wilde.*)—Joseph Brooks, twenty-five, a labourer, and Isaac Brooks, twenty-three, described as a baker, were arraigned on an indictment charging them with the wilful murder of William Davey. The prisoners also stood charged with the murder on the coroner's inquisition. They pleaded "Not Guilty."

The prisoners were brothers, and had the appearance of working men. They stood apart from each other in the dock, and were

never seen to exchange a word during the whole trial, which lasted more than five hours. Their demeanour throughout was calm and collected. As the trial proceeded, the interest centered almost wholly in the elder brother, Joseph, who is a powerfully made man.

Mr. Clerk, Mr. Sleigh, and Mr. Beasley, instructed by the Treasury, were counsel for the prosecution; Mr. Best defended the prisoner Joseph Brooks, and Mr. Ribton the prisoner Isaac.

Mr. Clerk, on the part of the Crown, prefaced the examination of the witnesses called for the prosecution by a lucid and temperate statement of the circumstances as they were afterwards related in evidence. He explained by the way that Jane Lake, whom he would call as a principal witness, was at first committed for trial with the prisoners as an accessory after the fact; that afterwards the advisers of the Crown were of opinion that there was no evidence to justify her being put upon her trial, and she was liberated; and that no communication was had with her on the part of the prosecution as to any evidence she might be able to give until some time after she had been discharged.

Police-sergeant Bonnick, of the T division, was the first witness called. He said, in reply to Mr. Sleigh, the deceased, William Davey, was a constable of the same division. The station-house was at Acton, and the deceased's beat was in that parish. He was on duty on the 19th of January last. Some building materials were deposited on the premises of a Mr. Saunders, in Park-road North. The deceased lived at Petherton-villa. I know the prisoners, and where they lived at the time of the murder. The three places are within a short distance from each other. About a quarter to five o'clock on the afternoon of the 19th of January the deceased returned to his duty. I was passing round the beat about six o'clock, and saw him in Avenue-road. He made a report to me of something that had occurred, and then took me to a spot close by, called "Bollow-bridge-road," and pointed out some old wood which had been taken from a house that had been pulled down. It was set up against some ricks, and away from any house. It stood in a field about half a mile from the road. On the same evening, about half-past seven, I went to Mr. Saunders's premises, and saw there some old materials like those I had seen in the Bollow-bridge-road. I knew it was the same from some paper that adhered to the wood at both places. On the same evening, about half-past eight o'clock, I saw the deceased again on his beat, and gave him permission to go home and have his supper. From some information I afterwards received, I went to Petherton-villa at about twenty minutes to nine o'clock, and found him lying dead in a little garden in front of the house. His head had been shattered as if by firearms. I communicated forthwith with my superior officers, and went later in the evening to the prisoners' house.

Georgiana Winning examined by Mr. Beasley.—I live at 4,



Acorn-cottages, Acton-green, and am the wife of George Samuel Winning. I remember the evening of the 19th of January. About six o'clock, or a quarter past, I was going to Acton by a footpath leading across some fields; I passed a place called Cumberland-villa, and there I met the prisoners, who were going towards Turnham-green. Joseph said to Isaac, "Run, you —; run." Isaac made some reply, but I don't know what. I had known both of them some time before. They took to their heels and ran, and I soon lost sight of them. When I first saw them they had been running, and then they paused, and ran again. They were running towards Chapel-place.

Martha Davey was next called and examined by Mr. Clerk.—The deceased, she said, was my husband. Last January I was taking charge of Petherton-villa, an empty house, with the view to letting it. On the evening of the 19th of January my husband came home to supper about half-past eight o'clock. A few minutes afterwards the door-bell rang. I opened the door, but I could not see any one. I noticed the cap of a man over the pillar of the garden-gate. I heard some one say, "Is Mr. Davis at home?" I said, "Yes;" and I called my husband. He came to the door, and as he passed the threshold I turned to go into the house. As soon as he went out I heard a gun fired, and, turning round, I found him dead at the door. I gave an alarm, and several people came to the spot. A few days before that the prisoner Isaac Brooks called at our house, and had some conversation with my husband. I heard him ask my husband to have an eye to some houses they were building. Isaac, I believe, is a bricklayer; and my husband told me the Brooks's were building a house. That was about a week before the 19th of January, and, I believe, on the Monday. I was at the police-court when the prisoners were examined there. Isaac was asked to spell his name, and I heard him give his name and spell it. To the best of my belief I had heard the voice before; in fact, it was the same that inquired for my husband on the night he was shot. I did not hear the prisoner Joseph speak at the police-court.

Jane Lake, a young woman who had been engaged to be married to the prisoner Joseph Brooks, was then called into the witness-box. She laboured under great excitement, and cried and sobbed while she gave her evidence, which she did seated. Her emotion became painfully great when she turned a look upon the prisoners. To all appearance they remained unmoved. She said, in reply to Mr. Clerk, I live at Turnham-green with my father and mother. I know the two Brooks's. Isaac is married. In January last he lived at No. 1, Chapel-place, and Joseph lodged in the same house. Joseph was then keeping company with me. On Monday evening, the 19th of January, I was at their house. They were there when I went in. I went a little after six o'clock, but I cannot give the time exactly; they had done tea. Joseph wore corduroy trowsers and a brown corduroy jacket when I first

went in. After I had been there a short time they both went out. That was soon after I went in. They were out about a quarter of an hour. They did not say where they were going. On returning they sat down, and Joseph sat about a quarter of an hour before he spoke. He then asked me what time the pawnshops closed. I said I would go and ask my mother. I went home for that purpose, six doors off. I found my father at home, and from what he said I returned, and told Joseph the pawnshops closed at ten o'clock. On that, Joseph asked his sister-in-law to fetch his trowsers, and take them to the pawnshop, and get as much on them as would release his gun, which he said was at Mr. Ayre's shop, in Hammersmith. I went with Mrs. Brooks to Hammersmith. Joseph had told her to be quick. She pawned the trowsers, and brought the gun home. It was a one-barrelled gun. We came home fast from Hammersmith, and when we got there Mrs. Brooks gave the gun to Joseph. He said he was going to sell it. Isaac was then in the house. He was there also when Joseph told us to go and bring the gun. When Joseph got the gun he said he was going to Black Lion-lane. That is not a great way from where we live. It lies towards Hammersmith. I asked him to let me go with him, but he refused, because he said mother would come after me. He then left the house with the gun. Isaac was at that time in the house. I remained with him in the same room while Joseph was away. Joseph came back in about twenty minutes. During Joseph's absence Isaac sat on a chair, and seemed very restless. When Joseph came back he had the gun with him. He put it down in a corner of the room, saying, "God bless the man; if I had the 'sod' here I would hit him with it." He did not come close to me at first. I put my hand across his forehead, which seemed rather hot. I said, "You have been running, Joe." He replied he had not. I said I thought he had been doing something wrong. He said he had not. He went out to fetch some beer, and while he was out my mother came in. I left the house with her about half an hour after he came back with the beer. I cannot exactly say what time that was. When I first saw Joseph he had on his corduroy suit. On his going out with the gun he wore his brown coat.

By the Judge.—She could not say whether he wore that brown coat over his corduroy jacket. When he came back I saw him take the coat off and put it on the stairs. He was then in his shirt-sleeves, and I saw him afterwards in his working jacket.

Mr. Best, in cross-examination.—What did he say he wanted the money for?

Witness.—I don't like to tell you.

Mr. Best.—Were you going to be married to him?

Witness.—Yes.

Mr. Best.—Did he want the money for that purpose?

Witness.—I suppose so. I was going to be married to him on

the following Wednesday. She added,—He went out about twenty minutes to eight; but I cannot be sure as to the time.

Mr. Best.—Do you know whom he meant when he said, “God bless the man?”

Witness.—I suppose the man to whom he had wished to sell the gun.

Mr. Best.—Did he say so?

Witness.—No.

Mr. Best.—Did he tell you he had not met the man?

Witness.—No.

Harry Lovelace, foreman to Messrs. Ayres, of Hammersmith, pawnbrokers, said he remembered the prisoner, Joseph Brooks, coming there on the evening of the 17th of January, and pledging the gun produced in the name of “J. Brooks.” Witness then examined it, and found it very clean. He made some remarks to the prisoner about its being clean. The nipple was clean. Witness put his finger into the barrel, and found it oily, but not black. He saw the same gun a few days afterwards, and it had the appearance of having been discharged.

Mr. William Ayres, pawnbroker at Hammersmith, said he knew 1, Chapel-place, Turnham-green, where the prisoner resided. It was about a quarter of a mile from his house. On the evening of the 19th of January, Jane Lake and another woman came to his shop, about a quarter to seven, bringing a pair of trowsers, which they pawned, and then redeemed the gun produced. He noticed the gun was clean. He saw it on the following day. It had then been discharged.

Matthew West, a servant living at Merton-house, next door but one to Petherton-villa, of which the deceased had the care, deposed that, on the evening of the 19th of January, he heard the report of firearms between half-past eight and twenty minutes to nine. He went to the back door, and heard a child screaming “Mother,” and then a woman groaning. He stood at the back of the house, and saw a man run across the field, in the direction of Acton-town. The man crossed the public road, and went over a fence.

James M’Roby.—I live at Mill-hill, Acton, and am a tailor. On the evening of the 19th of January I was walking with my wife from Acton towards Acton-green. We went down Church-road, passing Petherton-villa, went along Avenue-road, and then by a footpath past Cumberland-villa towards Acton-green. At a narrow part of the road, near Cumberland-villa, there are four posts in the footpath. When we came near the posts we saw a man standing off the footpath leaning on the muzzle of a gun. He stood about half a yard from the path to the left. My wife was so near him that she could have touched him. It was a dark night. The man was respectably dressed in a dark coat, but not in working clothes. I had not before seen either of the Brooks’s. The man wore a flat hat, and had hair under his chin. (The

prisoner Joseph Brooks wears hair below his chin.) I could not speak to the man's countenance. I know Chapel-place. To go from there to Petherton-villa a person would pass the posts I have mentioned. That was one way, and the nearest way. We passed the posts about eight or a quarter-past.

By Mr. Best.—People going in other directions than Chapel-place would have to pass the posts.

Mrs. M'Roby, wife of the last witness, said, the man they saw near the posts was standing with his hands crossed, leaning on a gun, and his chin upon his hands. He was a stout-built man, and appeared to be dressed genteelly in a dark coat. He wore a kind of cap. She should know the man by his appearance, but not by his face. The night was too dark for her to do more.

By the Judge.—The posts were about half or three-quarters of a mile from Chapel-place.

Henry Stock, of 1, New-place, Acton, deposed that on the evening of the 19th of January he was in company with one James Edwards, going from Turnham-green to Acton. They passed the lodge at Cumberland-villa, in the Avenue-road, at about twenty minutes or a quarter to eight. It was eight o'clock when they got to the White Hart, in Acton, and it would not take them more than ten minutes to walk there from the lodge. As they approached the lodge they saw two men standing among some trees. Edwards said "Good night" as they passed them, to which one of them replied "Good night" in a rough voice. The other man was a little behind the one who spoke, but as witness and Edwards approached he "dispersed," and went into the ditch. Witness was within three yards of the man who answered. He wore a brown or dark-coloured coat, buttoned up, and resembled the prisoner Joseph Brooks, but witness could not be sure.

Emma Rice, a very young woman, residing at Albert-terrace, Knightsbridge, deposed that in January last she was staying at Acton. On the evening of the 19th she was going along the Avenue-road about eight o'clock, or a few minutes afterwards. As she passed the lodge near Petherton-villa, she saw a man among some trees there. She was about a yard or a yard and a half from him. He stood as if there was something before him, and in rather a peculiar manner. After she passed him she turned round and looked at him five or six times.

Mr. Clerk.—Are you able to say who that man was?

Witness.—To the best of my belief it was Joseph Brooks.

Baron Wilde.—Are you at all confident about it?

Witness.—Yes, I am. She added that about half an hour afterwards she returned in the same direction, passing Petherton-villa, in company with Mr. Smith, a friend. It wanted one minute to the half-hour as they passed Petherton-villa. She was sure as to the time, because Mr. Smith had looked at his watch there. She then saw nothing of the man there whom she had before seen.



About four or five minutes after they passed Petherton-villa, they heard the report of firearms. They were then going towards Amelia-villas. A man was standing about twenty yards from Petherton-villa, a little past the lodge.

Cross-examined by Mr. Best.—It was rather dark, but not very dark. The man followed them a short way. She had since seen the prisoner Joseph at the Hammersmith Police Court.

Mr. Best.—Be careful; will you undertake to swear to him?

Witness.—I cannot positively swear, but I have not the least doubt.

James Edwards, a labourer at Acton, gave evidence confirmatory of that of the witness Stock. He had known the prisoners ten years. The night was very dark. He did not know the man who had said "Good night" to him in a gruff voice.

Charles Catlin, a gardener at Acton, deposed that on hearing of the murder he went to Petherton-villa, and saw the deceased lying on the ground dead, and six or eight people standing round the body, one of whom was the prisoner Isaac, whom he had known from his boyhood. He said to witness, "Well, Charley, this is a shocking affair." Witness replied that it was, and that the deed must have been done from spite. The prisoner made an assenting remark.

In cross-examination the witness said he had not before seen Isaac since October last, and that the prisoner was looking at the dead body just like other people who were there.

Robert Moore, living at Walnut-tree-cottages, Acton, also deposed to seeing the prisoner Isaac, whom he had known about six years, standing over the dead body with Catlin and others.

Mr. H. B. Lingham, a surgeon at Acton, deposed that on the night in question he was summoned to Petherton-villa, about half-past eight or a quarter to nine, and found the policeman lying in the garden with part of his head shot off. He afterwards took from the brain of the deceased twenty-three shots, of the kind known as "No. 5," twelve of which he weighed with twelve other shots given him by one of the police-constables engaged in the case, and they corresponded in weight to within half a grain. The gun had been discharged at the head, and nearly in contact with it, and death must have been instantaneous.

Police-Inspector Searle (T division).—I went with Sergeant Bonnick and Inspector Scotney to the house of the prisoners in Chapel-place about half-past one o'clock on the morning of the 20th of January. We knocked at the door, and Isaac looked out of a window. At the request of Scotney he came downstairs in his night-dress, and opened the door. I asked him (Isaac) if he had any firearms. He made no answer, and I inquired where his brother was. He said, "Upstairs." I left Isaac in charge of Scotney, and went upstairs, followed by them and Sergeant Bonnick, into a room where the prisoner Joseph was in bed. I had a lamp, and was in my police uniform. I said, "Joseph Brooks?"

He said, "Yes," in a trembling voice. I said he and his brother would be charged with the murder of police-constable Davey at Acton. He made no reply. I asked if he had any firearms. At first he made no answer, and I repeated the question. He said, "I had a gun, but it is at the shop at Acton." Scotney felt about the bed, and then went into another room with Isaac and his wife. After they had left I told Joseph to get up, and he did so. I then turned down the bed and found the gun produced between the bed and the mattress. I asked him what he called that. He replied he had forgotten it was there. I put my little finger into the gun-barrel and found it black and greasy with powder, and from smelling the nipple I was convinced the gun had been recently discharged. I told him so; he made no remark. He treated the matter very lightly, and laughed while dressing himself. As he was about to put on his corded jacket, he took it up by the bottom, upon which a powder-flask fell from one of the pockets upon the bed, and he endeavoured to conceal it among the clothes. I asked where he had been that evening. He said, "Nowhere," at first; but afterwards he stated he had not been out of the house since he returned from his work, about six o'clock. I took him downstairs, where Isaac and Scotney were, and there I repeated the question. Joseph said he had not been out, and Isaac declared that he (Isaac) had not been out, and that his wife knew that he had not. I believe Joseph said the gun had only been taken out of pawn, upon which Isaac's wife said she and Jane Lake had gone to Hammersmith for it that evening. On the 24th of January I went to the house of the prisoners, and on looking into a box under the bed in Joseph's room, found the brown coat produced. I had seen the box on my first visit, but did not take it away. In a pocket of the coat was some loose shot, and the knife produced. [It had a long blade with a sharp point.] I also found some loose shot in the box. The shot taken from the pocket of the coat was afterwards given to Mr. Lingham, the surgeon.

William May, of 3, Cambridge-villas, Hammersmith, a builder, deposed that the prisoners were employed under him at a building at Park-road North, Acton. On the Monday before the murder—that was, a week before—he had requested them to tell the police-constable to look round the building. After giving those directions, witness saw the deceased, and spoke to him.

William Skanes, in the employ of Mr. Saunders, a builder at Acton, proved that the old wood found in the Bollow-bridge-road resembled some which belonged to Mr. Saunders. He formed that opinion from some paper which adhered to both.

Edward Church Davis, a surveyor, who had prepared a plan of the locality, proved that the distance from Chapel-place, Turnham-green, to the posts referred to, was five furlongs and eleven yards, and from the posts to Petherton-villa, by the footpath, two furlongs and 119 yards. It was 111 yards short of a mile from Chapel-place to Petherton-villa, and the footpath by the way of the posts was

the shortest route and almost in a straight line. From Mr. Saunders's place to the ricks near Bollow-bridge-road the distance was 260 or 270 yards.

This was the case for the prosecution.

Mr. Ribton, appealing to the Court, said he presumed he need not address the jury for the prisoner Isaac.

Baron Wilde replied that there was clearly no case against Isaac.

Mr. Best addressed the jury on behalf of Brooks.

Mr. Baron Wilde, in summing up the case, said although the prisoner Isaac was charged in the same indictment with the other, the evidence as it affected him was not such as to justify a conviction, and it would be the duty of the jury to acquit him and to confine their attention to the evidence as it concerned the elder prisoner, Joseph. The learned counsel for the prisoner had said it was a case in which the evidence was only circumstantial, and that a man could not be convicted on mere conjectural presumption. Whether the jury might ultimately think that the evidence was strong enough to sustain the theory of the prosecution was one question, but he need scarcely remind the jury that according to the practice of English Courts of Justice direct evidence was by no means necessary in such cases, and that what was called circumstantial evidence was quite as much entitled to consideration as direct proof, provided it was strong enough to carry conviction in the minds of a jury as to the guilt of a prisoner whom they were trying. He must say, in this case, they had been greatly aided by the ability with which it had been conducted on both sides, the learned counsel having carefully put before them only such circumstances as seemed material to the issue they had to try. What was the theory of the prosecution? It was suggested that certain wood belonging to a Mr. Saunders had been feloniously carried away to a place near the Bollow-bridge-road. There was no proof as to who had removed the wood, but there was proof that it had been taken from Mr. Saunders's premises, and that surreptitiously. The suggestion was that the police-constable on the beat, meeting his inspector, had called his attention to the matter; that he (the constable) might have suspected the Brooks's; and that they themselves fancied he suspected them. But all that lay in the region of what he might call "may be," and there was now no proof that either of the prisoners had been concerned in the felonious removal of the wood. The learned Baron then carefully reviewed the evidence, and pointed out what seemed its bearing one way and the other, assuming as a cardinal point that the murder was committed between half-past eight and a quarter to nine. He stated incidentally that the most serious part of the case, as against the prisoner, lay in the evidence of Jane Lake, which he criticized, adding that the way in which she had given it was creditable to her, considering the tender relationship in which she stood to him, and the sacrifice of her feelings which it must have cost her. He

remarked upon the absence of all evidence that the prisoner had taken the gun to dispose of it in Black Lion-lane, which would have been easily susceptible of proof had he done so; and yet that was a point on which his defence mainly turned. Again, had the shot extracted from the brain of the deceased differed from that found in the coat-pocket of the prisoner, that would have been a material circumstance in his favour; but, being precisely the same, the circumstance weighed strongly against him. It was for the jury to say whether the evidence, without straining it, was conclusive as to his guilt; but if the consideration of it in all its bearings left on their minds any reasonable doubt, they would give him the benefit of it.

The jury then retired from the court, and in less than twenty minutes returned with a verdict of Guilty against the prisoner Joseph Brooks, and Acquitted the prisoner Isaac, who was thereupon removed from the bar.

The learned Judge then passed sentence of death upon Brooks in the usual form.

15. WEDDING PRESENTS TO THE PRINCESS OF WALES.—The new court at the Kensington Museum was opened for the exhibition of the wedding presents, by ticket. In the centre of the court an inner court was erected, in the midst of which rose two lofty poles from bases copied in electrotype from those which stand in the Piazza of St. Mark, in Venice. Two long silken banners hung from these, emblazoned, the one with the arms of the Prince, and the other with the arms of the Prince and Princess impaled. Round these the cases were arranged by Captain Fowke in such a manner that the visitors could pass around and between them, so as to see with as little crushing as possible the contents, which were most effectively grouped by Mr. Redgrave, R.A. Each of the two sets of cases containing the jewellery consisted of four placed together in the form of a cross, in the angles of which were groups of exotics. These were on the south side of the court, and on the opposite side were two cases containing the plate and miscellaneous articles. The arrangements of the police were made so as to admit only by one entrance, and to prevent any movement but in one direction.

The gifts were divided into five classes—that is, jewellery and goldsmith's work, silver plate, porcelain, textile fabrics, and miscellaneous; but except in the matter of jewellery, no actual division was attempted, and the plate and china, shawls, laces, and works of art were grouped together with beautiful effect as to form and colour.

Of the jewels, the first place was due to the pearl and diamond necklace presented to the Princess Alexandra by the Prince of Wales, and which formed part of her bridal adornments. The necklace is formed of eight circular clusters of brilliants, with a large and beautifully-shaped pearl in the centre of each. The clusters are connected by festoons of diamonds, while from each of



the three principal clusters is suspended a pear-shaped pearl. Among the other presents of the Prince of Wales to his bride, is a splendid diadem of brilliants, the circlet formed of two rows, with ten large brilliants equidistant; the design of the diadem is extremely rich and beautiful. Another gift of the Prince is a gold necklace with Etruscan ornaments, which was well worth looking at, for the antique simplicity of the design as well as for the fineness of the work.

Next to the Prince's gifts were those of the Queen; and first among them for beauty may be placed one given in the names of H.R.H. the Prince Consort and the Queen, from designs of His Royal Highness—a parure of opals and brilliants, consisting of three circles, brooches, a pair of ear-rings, a cross, and a bracelet. The opals are remarkable, not only for their size, but for their exquisite purity, and the contrast of these lustrous tinted stones with the brilliants is peculiarly fine. Another present of the Queen to the Princess was a suite of Indian ornaments of pearls, emeralds, and diamonds. These ornaments include a corsage, a pair of bracelets, and an armlet, the stones of which are remarkably fine. Most of the presents from the Royal Family are the work of Garrard and Co., except one exquisitely beautiful gold necklace, given by the Prince, the Etruscan form of which shows it to be the work of Mr. Phillips.

The young Princes and Princesses of our Royal Family made a joint present of a noble brooch of brilliants and sapphires; the Prince and Princess Louis of Hesse a bracelet of turquoise and brilliants; the Duchess of Cambridge a magnificent diamond and emerald brooch; the Princess Mary a diamond bracelet; and the Duke of Cambridge also a diamond and enamel bracelet.

Among the gifts from the Danish friends and relatives of the bride, that of the King of Denmark was a superb necklace of pearls and diamonds, in five divisions, with festoons of pearls, connecting ornaments of gold with a large brilliant in the centre of each. The centre of the necklace is formed of a scrollwork in diamonds, with one round and two large pear-shaped pearls, and suspended from it is the fac-simile of the cross of Dagmar, executed in enamel, ornamented with pearls and diamonds. The style of the necklace is Byzantine.

The Landgrave William of Hesse and his sisters gave a most beautiful parure of solid gold, of a fine old English design; and the Chamberlain Juel another suite of the same richness; while the inhabitants of the two islands Laaland and Falster also sent a gold suite, consisting of a massive diadem, armlet, brooch, hair-pin, button, ear-rings, and finger-rings, all of massive gold and of quaint Runic design.

Of collective gifts the magnificent diamond necklace presented by the Corporation of London stood deservedly first. It consists of thirty-two brilliants, all of them magnificent stones, beautifully graduated, the centre one being of unusual size. The opal and

diamond bracelets presented by the ladies of Manchester and Leeds were extremely beautiful, as also were the bouquet-holders presented by the ladies of Gravesend, the Lady Mayoress, and the Maharajah Dhuleep Singh. This last is not only extremely light and beautiful, but highly ingenious in design.

In the silver plate the most conspicuous ornament was the noble silver-gilt toilet service presented by the Royal Household; certainly the most beautiful, and perhaps the most costly, present of the kind ever made. Near it was a magnificent silver-gilt and jewelled vase, in the style of Holbein, the gift of the Duke of Buccleuch.

Among the porcelain gifts there was a vase almost large enough to bathe in, given by the King and Queen of Prussia, from the royal factory at Meissen. The middle portion contains a wonderfully life-like portrait of the King. Near this were an ewer and plateau in the style of the sixteenth century, an imitation of the exquisite Limoges enamels, from the Royal Worcester Works; these are the gift of Lord Spencer.

Of the textile fabrics, the Norwich shawls and cloaks and the lace sent by the ladies of Ireland were particularly admired. Among the miscellaneous articles was a gorgeous but rather over-ornamented Bible, presented by the Committee of the Bible Society, but most visitors looked with more interest on three books, plainly though elegantly bound, consisting of two Bibles and a Prayer Book, presented by the children of the Windsor and Whippingham schools.

16. SUICIDE OF A CLERGYMAN OF DUBLIN.—The suicide of the Rev. Samuel Mason, LL.D., produced a painful sensation in Dublin. It appears Dr. Mason had not been well, and he had gone across to Holyhead the previous night for change of air. When the "Ulster," mail steamer, in which he went and returned, had come within two miles of the "Kish" light-ship, at half-past six o'clock in the morning, he was seen sitting on the stern of the steamer, from which he plunged into the sea. A seaman named Daly instantly jumped in after him, there was a cry of "A man overboard!" the steamer was stopped as soon as possible, but before help could reach him he had sunk to rise no more. Dr. Mason had been for many years sub-treasurer to the Ecclesiastical Commissioners. No cause was assigned for this deliberate act of self-destruction. The following is the official report of Captain Triphook, commander of the "Ulster:"—

"Royal Mail Steamer 'Ulster,'  
Kingstown, April 15.

"When about two miles outside the 'Kish' this morning, on my passage from Holyhead, the cry of 'A man overboard!' was made from the quarter, when I immediately stopped, and reversed full speed, and lowered a boat down at once when I got near the place where he was last seen, and at the same time Edward Daly, seaman of this vessel, jumped overboard and tried to save him, but

before he or the boat reached him he sank. He went over in this vessel last night, and when I was speaking to him at half-past eleven last night he appeared quite collected, and told me that he went over for change of air, and had slept better on the passage than he had done for a long time; and having recommended him to go to bed again, he did so, and said he would get up at four o'clock. The steward saw him sit on the taffrail, put his legs over, and let himself slip into the sea. The whole time in trying to save him only occupied thirteen minutes. I cannot speak in too high terms of Daly's conduct and manly courage in jumping overboard."

18. GREAT FIRE IN THE CITY.—Between three and four o'clock a.m., an alarming fire broke out in the premises of Messrs. Henry Capel and Co., agents to Messrs. Fiest, Brothers, and Sons, of Frankfort-on-the-Maine, wine and dry coopers, situated in Seething-lane, City. The building, which was very extensive and five stories high, was formerly the residence of one of our Princes. Under the main building was an extensive range of bonded warehouses belonging to the Corn Exchange. A police-constable of the City force went under the entrance leading to Messrs. Capel's premises, and then saw that the lower part of the building forming the northern portion of the quadrangle was on fire. He at once called the attention of his inspector, Mr. Kilby, who was in the station on duty, two doors distant. The inmates were enabled to effect their retreat, although nearly stifled with the heated smoke. Mr. Kilby sent off messengers in all directions for the engines. With as little delay as possible, the powerful steam land engines by Shand and Mason, from the brigade stations at Wellclose-square, Watling-street, Tooley-street, and Chandos-street attended, under the personal direction of Captain Shaw. Mr. Hodges also attended, with the "Torrent," a powerful steamer by Messrs. Merryweather and Sons, of Long-acre, as well as several manual engines of the London establishment, and those of the adjoining parishes and Her Majesty's Customs. A good supply of water was procured. The first thing sought to be accomplished by Captain Shaw was to cut off the extension of the flames in the direction of the Corn Exchange and the houses in Mark-lane. In that endeavour he was ably assisted by Mr. Hodges and Lieutenant Becker. The flames were rolling high into the air, and lighted up the Monument, St. Paul's Cathedral, the Custom-house, and Bow Church, and a passenger who arrived from Cambridge stated that the reflection of the fire could be seen distinctly twenty miles down the line. Captain Shaw, and the various officials under him, and Mr. Hodges, were unable to get the mastery over the fire for several hours, but owing to the great aid rendered by the steamers, the houses in Mark-lane were preserved, as well as the Corn Exchange. The damage, however, to Messrs. Capel's premises amounts to something considerable. Hitchcock, one of Hodge's firemen, fell through one of the floors and got his wrist burned; and Moore, one of the brigade, had also a narrow escape. Such was the rapidity of the fire at the commencement, that Mrs. Timms, who

had her watch and some jewellery under her pillow, had not time to save any of them. The fire was not entirely extinguished until an advanced hour the next morning, and even then it was found necessary to keep the standpipes in the plugs, so that water could be instantaneously obtained in the event of a fresh outbreak. The surveyors and assessors of losses found that the damage was far greater than was anticipated while the fire was at its height. Messrs. Capel and Co., besides being coopers, were also wine merchants, and their stock of wine was very large. Cellar after cellar at the rear of the premises in Seething-lane stretched as far back as those in Mark-lane, each containing cases and racks of wine in bottle, besides those in wood. Some of the wines had been bottled for many years, and the boiling water from the upper part of the buildings, as it fell below, of course must have greatly injured the wine. Some idea of the amount of heated water that fell into the cellar may be formed from the fact of several of the land engines being kept for hours pumping the water out as soon as the fire was got under.

— DESTRUCTION OF A NOBLEMAN'S HOUSE BY FIRE.—Rockingham-house, the princely mansion of Viscount Lorton, near Boyle, in the county of Roscommon, was burnt down and reduced to ruins. It was occupied by the Hon. Edward R. King, son of the present Peer. Mrs. King, with her child, had to fly for refuge to the residence of the gardener. When the fire was discovered in the night, the domestics and the tenants of the several lodges did all in their power to extinguish the flames, but in vain; they could only save a portion of the valuable effects. Rockingham-house was erected by the late Viscount between the years 1812 and 1816. It was one of the finest of the residences of the nobility in Ireland.

25. THE WRECK OF THE "ANGLO-SAXON" STEAMSHIP.—The opening of the navigation of the St. Lawrence, and the commencement of the direct summer trade with Canada through Quebec, was this year marked by a terrible catastrophe. The first steamer of the season, the "Anglo-Saxon," striking on one of the rocks or reefs a few miles to the eastward of Cape Race, became in an hour a total wreck. The casualty was unhappily attended by a deplorable loss of life. Of the 440 passengers and crew on board the vessel, nearly 300 perished. There were circumstances connected with the "Anglo-Saxon" which might be thought to have made an accident to this special ship the least probable of maritime casualties. She was more strongly built than the ordinary vessels of her class. Her iron plates were of more than the usual thickness, and she was fitted with four water-tight bulkheads. The well-constructed vessel, too, was in the hands of a commander of skill and professional knowledge. Captain Burgess is described as a good and very careful navigator, having, besides these valuable qualifications, great experience in this particular passenger trade. The following account of this terrible calamity was furnished by the first officer of the unfortunate vessel:—



"The 'Anglo-Saxon' left Liverpool on the 16th inst. at five p.m. She experienced strong westerly gales until Saturday, the 25th, eight p.m., when she fell in with the ice and a thick fog. The engines were immediately slowed. At ten p.m., the ice being thick and heavy, the engines were stopped altogether, a light breeze from the south forcing the ship ahead about one knot an hour. At five a.m. on the 26th the fog lifted, and, the ice having slackened, we set the foretopsails and headsails, running the engines occasionally at a dead slow. At half-past ten a.m. the fog cleared away altogether, and we saw clear water to the west-north-west from the masthead. We continued our course towards clear water. At two p.m. we got the ship clear of ice, and steered north-west by west with full speed, and with all possible sail. A moderate breeze was blowing from the southward at this time. At noon, latitude 46°57', longitude 57°24', by the chronometer. At ten p.m. the breeze freshened, and blew strongly from the south-south-east, and a dense fog set in. We took in all sail at eight a.m. on the 27th. The fog continued to be dense, and, supposing the ship to be forty miles off Cape Race, we altered her course to west half-north, and slowed the engines to half-speed, which we supposed would have taken us seventeen miles south of Cape Race. At ten minutes past eleven a.m. breakers were reported on the starboard beam. Captain Burgess immediately ordered the engines to be reversed at full speed; but before her headway could be stopped she struck flat on the rocks off Clam Cove, about four miles north of Cape Race. A heavy sea rolling in drove her quarter on the rocks, carrying away her rudder, stern-post, and propeller. Finding that there was no possibility of the ship coming off, the order was given to let go both anchors to hold the ship on the rocks. The carpenter was forthwith sent to examine the forepeak, and found it filling fast with water. He also examined the forehold, but found no water there. The chief engineer, coming up directly afterwards, reported the forward stokehole filling fast. He opened the valves and blew the steam out of the boilers. The boats were all immediately lowered successfully, except No. 1 and No. 3. The ship was so close to the rocks that these could not be got out. Boat No. 2, with some of the crew and passengers, commanded by Captain Crawford, was sent to find a place on which to land the passengers. Some of the crew being landed on the rocks by means of a studding-sail boom, with the help of some of the passengers, got a hawser secured to a rock to keep the vessel from listing out, when we commenced to land the female passengers on the rocks by means of the foreyard arm. The first-class passengers were put into a boat. At about noon the ship's stern swung off from the rocks, and she settled down very fast, listing to port at the same time, and sunk in deep water. The captain and a great many passengers were on deck at the time, and, with a part of the crew, were all lost."

— THE TWO CHURCHES IN IRELAND.—A singular collision between the clergy of the rival Churches occurred in a parish

on the west of the Shannon. A Mr. Smith, station-master on the railway at Woodlawn, died of consumption, having been attended during his illness by the Rev. Mr. Fleming, the rector of the parish. The "Western Star" stated that the deceased was born a Protestant, and never expressed any desire to change his religion. His wife was a Roman Catholic, and she bore the same testimony. When her husband had become insensible he was visited by the parish priest, the Rev. Mr. Manning, who first baptized, and then anointed him. Having thus transferred him to his own Church, he expressed his intention of attending his funeral, and reading the Roman Catholic burial service over his remains. Mr. Fleming, a man of zeal and nerve, expressed his firm determination to attend also, and read the service of the Protestant Church. Rumours to this effect caused a good deal of popular excitement; the magistrates were informed that a breach of the peace might be apprehended, and accordingly an extra police force was brought to Kilconnell, in order to guard against mischief. The funeral was attended by twenty-two cars and a small concourse on foot. On its arrival in the streets the parish priest stepped forth, robed in his vestments, and commenced reciting the service for the dead. Immediately after, the rector took up his part in the solemn duet, robed in his surplice. Thus each performed the service as the procession moved slowly on. To do the people justice, they behaved very well under such exciting circumstances. Mr. Fleming was rudely jostled once or twice, and in the copious sprinkling of holy water the rev. gentleman got more than his share of it, but he remained last upon the ground; and it is stated that though the priest ordered his people to put on their hats when he retired, many of them remained uncovered till the Protestant service was over.

28. DEPARTURE OF 1000 EMIGRANTS FROM MANCHESTER.—Upwards of 1000 emigrants left the Victoria Railway-station of the London and North-Western Company, Manchester, for Birkenhead, *en route* for New Zealand. The train consisted of twenty-one carriages, inclusive of the luggage-vans, which appeared to be as heavily laden with goods as the carriages were with emigrants. The engine and carriages were gaily decked with evergreens and flags, and a majority of the adventurers appeared as joyous and light-hearted as if they were going only for a short pleasure trip, instead of a distant voyage to the antipodes. The emigrants consisted of 400 to 500 families, besides many single young men and women. The station was exceedingly crowded, there being quite as many friends there to bid them "God speed" as there were emigrants. The train started at 11.15 a.m., and was under the charge of Mr. Cooper, the emigration commissioner. For some hours previously many of the younger people had been trying to hide their sadness by singing in chorus, and just as the steam-engine gave its preliminary snort, and was getting under way, their voices again burst forth in cheerful concert, so that

they departed in happy seeming, whatever might be their real feelings. The crowd of friends on the platform gave them a hearty farewell cheer as the train rolled out of the station, and some of them stood gazing down the line long after the train was out of sight. The crowd then gradually, but slowly, dispersed, and it was some time before the station was finally cleared. A few blanched faces and tearful eyes might be seen among those left behind, but they were soon lost sight of in the crowd. The emigrants were bound for Canterbury, New Zealand, by the ship "British Crown." They were chiefly natives of Oldham, Rochdale, Stockport, and the surrounding villages.

29. THE CHURCH IN THE METROPOLIS.—An important movement was inaugurated at the Bishop of London's residence, St. James's-square. A meeting of property owners and employers of labour in the metropolis, convened by his lordship, was held, for the purpose of devising means to meet the spiritual wants of the poorer districts of London. Nearly 200 noblemen and gentlemen were present. The Bishop delivered an interesting address, in which he expatiated on the great necessity which existed for larger spiritual provision, to meet the enormous increase of population. The Earl of Shrewsbury, Lord Sandon, and others having spoken, it was determined that 1,000,000*l.* should be raised in the next ten years for the purpose of building churches, providing missionary curates, parsonages, and endowments for small livings.

## MAY.

2. THE ANNUAL DINNER OF THE ROYAL ACADEMY was held, Sir Charles Eastlake, president of the Academy, in the chair. There were also present the Prince of Wales and Prince Louis of Hesse, the Duke of Cambridge, the leaders of our political parties, and men eminent in every walk of literature, science, and art. The Prince of Wales and Prince Louis of Hesse both made speeches. In responding to the toast of his health, the Prince of Wales, who spoke evidently under deep emotion, but in a peculiarly clear and pleasing tone of voice, and with great impressiveness of manner, said:—"Sir Charles Eastlake, your Royal Highnesses, my Lords and Gentlemen,—It is with the most contending feelings of pleasure, pride, and sorrow that I rise to return you thanks in the name of myself and the Royal Family for the kind terms in which you, Sir Charles, have proposed our health, and for the very cordial way in which this distinguished assembly has received it. I cannot on this occasion divest my mind of the associations connected with my beloved and lamented father. His bright example cannot fail to stimulate my efforts to tread in his footsteps, and, whatever

my shortcomings may be, I may at least presume to participate in the interest which he took in every institution which tended to encourage art and science in this country, but more especially in the prosperity of the Royal Academy. Adverting to my marriage, I beg you to believe how grateful I feel for, and, I may be permitted to add, how sincerely I appreciate, the sentiments you have expressed with reference to the Princess. I know that I am only speaking her mind in joining her thoughts to mine on this occasion. We neither of us can ever forget the manner in which our union has been celebrated throughout the nation; and I should be more than ungrateful if I did not retain the most lasting as well as the most pleasing recollection of the kind expressions and reception which my attendance at your anniversary meeting has evoked this evening." Prince Louis, in reply to the toast of his health, said:—"I have been much flattered by your kind invitation, which has enabled me to spend this evening in so distinguished an assembly. Still more gratified have I been by the cordial way in which you have welcomed me, and in which you have drunk my health and that of the Princess. While I return my warmest thanks in both our names, I take this opportunity of expressing my devotion and gratitude to your beloved Queen and her family, and my profound admiration of this great and noble country, to which I am most sincerely attached." The Duke of Cambridge, the Duke of Somerset, the Archbishop of Canterbury, Lord Palmerston, Lord Elcho, Sir R. Murchison, and Mr. Thackeray were also among the speakers.

— BARBAROUS MURDER IN TIPPERARY.—An inquest was held at Rockwell-house, near Cahir, Tipperary, on the body of Mr. Gustave Thiebault, who met his death in a shocking manner by assassination. The body presented a painful appearance. After the jury had been sworn, the coroner said that they were impanelled to inquire into the circumstances attending the death of Mr. Gustave Thiebault. A frightful and barbarous murder had been committed, and he hoped that before this inquiry would terminate a stain would be removed from the country that such a thing could occur on the high road, in a most public place, and in view of houses, and the perpetrators of it not brought to justice. Fedelia Sterre, a nurse in the employment of Mr. Thiebault, was examined, and deposed to seeing him in his house on the day in question at two o'clock, at which time he said he was going to the farm at Shanbally. He had a dog and gun with him; she never saw him alive afterwards. He appeared to be in good health and spirits. A young lad named Hickey, brother of a farmer residing in the neighbourhood, was next examined. He said he saw Mr. Thiebault lying stretched in a dyke beside the public road. He went home and informed his brother. He (witness) thought the gentleman was drunk, and gave as his reason for not going over to render assistance that his dog was sitting beside him barking and howling, and snapping at him when he attempted



to approach the deceased. Witness and his brother proceeded to the spot, and found the remains of the unfortunate gentleman weltering in blood. He was lying by the road-side, and immediately under the wall, towards which his shattered and gore-covered head was turned. His gun lay near him, both barrels discharged, and the stock smashed off near the butt, the broken pitchfork, and a heavy stone resting partly on the side of his head. In the back part of the head was a fearful wound. The flesh was torn from his face, as if with the cocks of the gun; there was a large gunshot wound in the left side of the body, over the region of the heart. A large pool of blood was there; the stones around were also stained with blood.

After some further evidence, the jury returned a verdict of "Wilful Murder" against Thomas Halloran, one of the three brothers arrested on suspicion shortly after the perpetration of the outrage.

8. THE QUEEN'S VISIT TO THE ROYAL VICTORIA HOSPITAL.—The Queen paid a long visit to the military hospital at Netley, the foundation-stone of which she and the Prince Consort laid nearly seven years ago. The Prince Consort always took a great interest in this hospital, and frequently visited it. He was very anxious to have a Military Hospital worthy of the nation, and fitted for the brave soldiers whose health has failed in foreign service. Her Majesty participated in these wishes, and her visit so soon after the opening of the hospital shows how much she has at heart the carrying out the Prince's views for the welfare of the soldier. On Friday morning, the 8th of May, the commandant of Netley, Colonel Wilbraham, received notice from Osborne, that the Queen would visit the hospital in the afternoon. Instructions were sent, however, to make the visit perfectly private, and consequently every step was taken to secure this. No orders were issued till two o'clock, and it was not till just before her arrival that the news of the Queen's visit spread through the hospital. The Queen arrived at half-past three, accompanied by Prince Alfred and Prince and Princess Louis, and attended by Lady Mount-Edgcumbe, Lord Charles Fitzroy, Sir Charles Phipps, Sir James Clark, Major Cowell, &c. She was received on landing by Colonel Wilbraham, C.B., Inspector-General Dr. Anderson, Major Rawlings, Major Ravenhill, R.E., the Professors of the Army Medical School, the Rev. Mr. Crozier, Staff-Surgeons Morehead, Nicholson, and Smith; and, in fact, all the hospital staff. Her Majesty expressed a wish to visit first the foundation-stone. She stayed here a few minutes, but it was evidently a painful reminiscence. She bore it, however, firmly, and then entered the hospital. It was intended to take her only into three or four of the wards to show her the arrangements; but she stated she desired to go into all the wards. On being told that there were no less than ninety-nine wards, she said she would then visit as many as she could, and she did actually enter a very great

number. In the first ward into which she went, a Victoria Cross man from India was lying very ill in bed. She immediately went up to him, addressed him most kindly, and sent for Dr. Maclean, the officer in charge of the division, to tell her about his state. She continued this in every ward into which she entered. Whenever she saw a man very ill, she walked up to his bed-side, spoke to him, inquired about him from Professor Longmore or Dr. Maclean, and showed the greatest interest in his case. In one ward an incident occurred which affected those who were present. An old soldier from India lay nearly at the point of death. After the Queen had spoken to him, he said, "I thank God that He has allowed me to live long enough to see your Majesty with my own eyes." The Queen and the Princess Alice were both touched by this speech, which came from the heart of the dying man. The aspect of the whole hospital was, indeed, extremely touching. It was almost filled with the Indian invalids, fine old soldiers, bearded and bronzed; many of them magnificent men of the ante-Crimean class. They thronged the corridors, drawn up in lines, and absolutely devoured their Queen with their eyes. She kept bowing to them as she walked along, making inquiries about the arrangements of the hospital from Colonel Wilbraham and Inspector-General Anderson. After looking at the chapel, bath-room, and kitchen, she expressed a wish to see the rooms of the Army Medical School, and accordingly visited the library, museum, lecture-room, laboratory, and microscopical room. At each place the professors were sent for to explain the arrangements. She then went into the quarters of the married soldiers. It had been rather wished that she should not see these, as, owing to the recent opening of the hospital, it had not been possible to arrange so comfortably as could be desired for the great number of soldiers' wives who have recently arrived with their sick husbands. However, the Queen said she desired to go, and accordingly she went into most of the rooms. Both she and the Princess Alice spoke to several of the women, and inquired after their comfort. This was the only part of the hospital which did not satisfy her; but it was explained to her that the present arrangements were only temporary. The Queen then re-embarked, after spending nearly two hours in the hospital. The day was beautiful, the sky cloudless, and nothing could be more cheerful than the look of the hospital grounds. Every body connected with the institution was, of course, most highly gratified, not merely with the honour of the visit, but with the way, at once so royal and womanly, in which she had shown her interest in her sick soldiers. The Queen's appearance was deeply interesting. Her face bore the marks of a heartfelt and abiding sorrow. Her smile was, however, as gracious as ever, and her voice, though low and very gentle, had all its old sweetness and clearness. She did not seem fatigued with her long walk through the hospital, though she must have gone over several miles of

ground, and had many stairs to mount. So carefully had the news of her visit been concealed, that there was scarcely any one to see her except the inmates of the hospital and the workmen still engaged there, and their wives and children.

— A VILLAGE DISASTER.—A most calamitous fire broke out in a village named Damerham, about twelve or thirteen miles south-west of Salisbury, on the borders of Hampshire and Dorsetshire, which resulted in the total destruction of twenty-seven houses, besides farm-buildings, stables, &c. The fire originated in a cottage occupied by a man named Ambrose, whose wife had gone to Fordingbridge on business, leaving three children in the house. Shortly after one o'clock the roof of the cottage was discovered to be on fire, and the wind being exceedingly high at the time, the flames speedily extended to the adjoining houses. The cottages were generally roofed with thatch, which was very dry, and consequently it burnt rapidly. Large pieces of flaming thatch were carried in all directions by the wind, and the houses on both sides of the street, with the exception of three cottages roofed with tiles, were in a very short time in one complete blaze. Two engines were obtained,—one belonging to Lord Shaftesbury, from St. Giles's, and the other from Cranbourne,—but on their arrival it was found that the flames had made such progress that their services were unavailing, and the fire was allowed to burn out. Twenty-seven cottages were destroyed, together with the farm-buildings of Mr. Scammell, and also the residence and farm-buildings belonging to Mr. Waters, including barns, stable, and a large quantity of barley prepared for market. A carpenter's-shop, smith's-shop, and timber-yard were also burnt. Within three hours of the discovery of the fire not a roof was remaining on either of the houses. A great deal of the property belonged to Mr. Eyre Coote, of West-park, and the larger portion was uninsured. The cottagers were entirely burnt out, and had to be accommodated for the night in the school-room and barns in another part of the village. A number of blankets were obtained from Fordingbridge, and the poor sufferers were supplied with refreshments. The labourers were for the most part at work when the fire occurred, and consequently but very little of their furniture was recovered, their wives being either too much frightened or engaged in saving their children, to pay any attention to their property. The loss will be very severely felt by them, as they are deprived of house and home. It was supposed that Ambrose's children were playing with matches in the house, and that the fire caught the thatch. The result was that nearly half of one of the prettiest villages in the south of England was destroyed.

18. MARVELLOUS ESCAPE.—Mr. Brown, of Bingham, Nottinghamshire, sent his servant in charge of a horse and cart from the field to the homestead. On his way home he had to cross the railway, and opened the gate to let the horse and cart cross over without looking if there were any trains in sight. The horse and

cart had no sooner entered the crossing than a luggage train came up. The buffer of the engine struck the body of the cart, separating it from the shafts, without in the least injuring the animal. Unfortunately, Mr. Brown's son, a little boy three years of age, was riding in the cart when the collision took place. The child, together with the remnants of the shattered vehicle, was tossed into the air about twenty feet high, the little boy's cap alighting on the top of the engine. The child fell close by the side of the rails senseless to the ground, while the remains of the cart were thrown over the hedge into an adjoining field. The father, who was left in the field, heard the collision, and, hastening to the spot, found the boy lying senseless. After the lapse of some hours the child showed signs of life, and eventually recovered.

— THE PRINCESS OF WALES AND THE LADIES OF BRISTOL.—Mrs. Hare, the wife of the Mayor of Bristol, had the honour of an interview with Her Royal Highness the Princess of Wales at Marlborough House, for the purpose of presenting Her Highness with the wedding gift which was subscribed for and offered for acceptance on the part of all the ladies of Bristol. The present was a magnificent Holbein jewel, in the form of a large brooch of beautiful design. The centre was formed of a sapphire of great value, set in a mass of large brilliants, tapering on the lower side of the ornament to a fine point, from which depended a large pear-shaped pearl of exquisite shape and colour. With this splendid ornament was presented an address enclosed in a carved casket, in the style of the celebrated Redcliffe Church at Bristol, and which casket, as a work of art, was as noteworthy and beautiful an offering as the jewel itself. Before offering the gift, Mrs. Hare read the address from the ladies of Bristol.

Her Royal Highness graciously accepted the presents and the address, and to the latter made the following reply:—

“Mrs. Hare,—I thank you and the ladies of Bristol very sincerely for this beautiful offering, and I can assure you that I am profoundly affected by the very touching words with which it is accompanied. They afford me another proof of the deep feeling of loyalty and attachment to the Queen and Royal Family which pervades the nation.

“Believe me that I devoutly hope that these happy relations may always continue, and that it is my earnest desire to assist in perpetuating them. These proofs of your favourable impression and kind wishes will, among many others, ever remind me of how much I owe to the warm and graceful reception accorded to me by the ladies of England.”

20. MELANCHOLY DEATH OF A SOLICITOR.—The deputy-coroner for the division of Middlesex opened an inquiry at the Town of Ramsgate Tavern, touching the death of Mr. Edward Warren, aged fifty-five, a solicitor, who was found dead in the river Thames. The body having been identified, and the manner of its discovery



described, William Cox, resident inspector of police of the Poplar station, stated that he believed that the deceased had been stopping at the Oxford Arms Inn, Warwick-lane, City, and had left a carpet-bag there. The officer then handed the following letter, which had been sent to Mr. West:—

“46, John-street, Commercial-road East.

“Dear Sir,—I troubled you many times before, but this is the last time. My head was affected at Sandwich, but ten times worse here. I can stand it no longer. It is my intention this night to destroy myself in the Regent’s Canal. Some of my clothes will be found at the Oxford Arms, Warwick-lane, St. Paul’s. Do prove kind to my wife and family. I am so distressed in body, mind, and estate, that I can live no longer. Trusting that yourself and family are well,

“Your unfortunate friend,

“EDWARD D. WARREN.

“P.S. I can write no longer.

“To Mr. G. West.”

A verdict of “Temporary Derangement” was returned.

— EPSOM RACES.—THE DERBY AND OAKS.—This great festival took place under very depressing circumstances in consequence of the miserable state of the weather. The rain set in about twelve o’clock, with a steady monotonous downpour, which never ceased during the rest of the day. The roads were excessively heavy, and many of the horses were unable to drag their dripping loads to the course. Notwithstanding this state of things, however, a very considerable number of persons were assembled, finding such shelter as they could obtain in the covered stands, or else braving the elements with the aid of umbrellas and waterproof coats. Upon the whole, the course and its approaches presented a miserable spectacle, and nothing but intense love of the sport, or deep interest in the result, could enable any one to withstand the depressing influence.

The great race of the day took place as follows:—

The Derby Stakes of 50 sovs. each, h. ft., for 3-yr.-olds; colts, 8st. 10lb.; fillies, 8st. 5lb.; the owner of the second horse to receive 100 sovs. out of the stakes. Mile and a half, to be run on the new course. 255 subs. Value of stakes, 7200l.

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| Mr. R. C. Naylor’s b. c. Macaroni, by Sweetmeat<br>(Challoner) | 1 |
| Lord St. Vincent’s b. c. Lord Clifden (Fordham)                | 2 |
| Lord Glasgow’s ro. c. Rapid Rhone (Doyle)                      | 3 |
| Captain D. Lane’s b. c. Blue Mantle (Lynch)                    | 4 |
| Lord Glasgow’s br. Physalis colt (Withington)                  | 0 |
| Lord Glasgow’s b. c. Clarior (Aldcroft)                        | 0 |
| Mr. Bowes’s gr. c. Early Purl (T. Ashmall)                     | 0 |
| Mr. H. J. Smith’s ch. f. Avondale (J. Mann)                    | 0 |

|  |        |
|--|--------|
| Mr. Sales's br. c. Safeguard (H. Covey)            | 0      |
| Mr. Naylor's br. c. Aggressor (Perry)              | 0      |
| Mr. H. Savile's br. c. The Ranger (J. Goater)      | 0      |
| Mr. G. Bryan's b. c. Fantastic (Custance)          | 0      |
| Lord Palmerston's ch. c. Baldwin (C. Gray)         | 0      |
| Count Batthyany's ch. c. Tambour Major (Wells)     | 0      |
| Sir F. Johnstone's b. c. The Gillie (J. Adams)     | 0      |
| Lord Durham's b. c. Michael Scott (W. Boyce)       | 0      |
| Lord Stamford's br. c. Onesander (A. Edwards)      | 0      |
| Mr. Whitaker's br. c. King of Utopia (H. Grimshaw) | 0      |
| Count Lagrange's b. c. Hospodar (A. Watkins)       | 0      |
| Count Lagrange's b. c. Jarnicoton (Hunter)         | 0      |
| Count Henckel's b. c. Giles the First (E. Sharp)   | 0      |
| Mr. E. Brayley's b. c. Tom Fool (A. Cowley)        | 0      |
| Mr. H. Robinson's br. c. Donnybrook (S. Rogers)    | 0      |
| Mr. Beaumont's ch. c. Golden Pledge (J. Osborne)   | 0      |
| Mr. Cartwright's b. c. Scamander (Drew)            | 0      |
| Mr. Watt's b. c. National Guard (E. Harrison)      | 0      |
| Mr. Wy. Robertson's ch. c. Dunkeld (Brewtey)       | 0      |
| Lord Bateman's b. c. Trojanus (Midgley)            | 0      |
| Mr. Capel's Bright Cloud (J. Reeves)               | 0      |
| Lord Strathmore's br. c. Saccharometer (D. Hughes) | (fell) |
| Baron Rothschild's b. c. King of the Vale          | (fell) |

Betting.—4 to 1 agst. Lord Clifden, 9 to 1 agst. Macaroni and Saccharometer, 10 to 1 each agst. The Gillie and Hospodar, 100 to 8 agst. King of the Vale, 14 to 1 agst. Fantastic, 15 to 1 agst. Scamander, 20 to 1 agst. National Guard, 25 to 1 agst. Tom Fool, 40 to 1 agst. Early Purl, 50 to 1 each agst. King of Utopia, Blue Mantle, Golden Pledge, Avondale, and Baldwin, and 1000 to 10 each agst. Onesander and Trojanus.

Upwards of an hour was consumed in thirty-two attempts to commence the race before the flag was lowered for the start, which was an admirable one, the lot leaving the post in such close company that for some distance, in consequence of the haze that hung over the Downs, it was difficult to distinguish which was leading, but Bright Cloud soon emerged from the ruck and came on with a clear lead, followed by Donnybrook on his left, with the favourite on the far side, with Early Purl, Macaroni, Blue Mantle, Saccharometer, King of the Vale, Fantastic, King of Utopia, and Tom Fool lying in a cluster at their heels. Then came Rapid Rhone, Onesander, Baldwin, Gillie, Giles the First, and Avondale heading the rear division, which were whipped in by Clarior. In this way they ran, at a good pace, half-way through the furzes, where Bright Cloud appeared to come back to his horses. On reaching the three-quarter mile-post he was beaten, and was immediately passed by Donnybrook, with Lord Clifden at his girths, who were followed in succession by Saccharometer, Fantastic, King of the

Vale, King of Utopia, and Ranger, but on Hughes calling to Reeves to let him through, his horse swerved through distress, and immediately after Saccharometer struck into his heels and came to the ground with great violence, Hughes fortunately escaping with a severe shaking. Fantastic, who was close in his track, gallantly jumped over the fallen animal, and fell on his nose and knees, followed by King of the Vale, who, less fortunate, struck him as he lay and rolled over, striking John Daley as he was rising, on the knee, and again in the back, in his attempt to escape, both animals breaking away riderless. King of Utopia and Ranger had to pull off to avoid a similar mishap. This accident left Donnybrook with a clear lead, followed by Lord Clifden, King of Utopia, Blue Mantle, Macaroni, Rapid Rhone, Tom Fool, Gillie, Onesander, and Scamander, the two leaders crossing the road together, but shortly after Donnybrook gave evidence of defeat, and on entering the straight he dropped back, and his place was taken by the favourite, who, with King of Utopia, Macaroni, Gillie, Rapid Rhone, and Blue Mantle in close attendance, came on with the running to the distance, where the King of Utopia ran up to the leader, and for a stride or two looked as formidable as any thing, but then gave way, and the Gillie on the lower side took the lead, but, showing temper shortly after, he as suddenly disappeared, leaving the favourite with Macaroni, Rapid Rhone, Blue Mantle, and King of Utopia to finish the race. Lord Clifden had a slight lead, which he retained to within a dozen strides of the chair, when Challoner came with one of his well-timed rushes and landed Mr. Naylor the winner by a head, half a length separating the second and third, a neck between the third and fourth; King of Utopia was fifth, close up; Ranger sixth; then came Donnybrook, Tom Fool, and Safeguard; the last lot comprised Dunkeld, Baldwin, Trojanus, Bright Cloud, Avondale, and Aggressor.

The other great event of the races, the Oaks, took place on the 22nd, as follows:—

The Oaks Stakes of 50 sovs. each, h. ft., for 3-yr.-old fillies, 8st. 10lb. each; the second received 100 sovs. out of the stakes. 1½ miles. 188 subs.

|   |   |
|---|---|
| Mr. T. Valentine's b. Queen Bertha, by Kingston       |   |
| —Flax, by Surplice (Aldcroft) . . . . .               | 1 |
| Mr. Hargreave's ch. Marigold, by Teddington           |   |
| (Doyle) . . . . .                                     | 2 |
| Count Lagrange's bl. Vivid, by Vedette (Watkins)      | 3 |
| Mr. Parr's ch. Isoline (C. Marlow) . . . . .          | 4 |
| Mr. Bowes's b. Old Orange Girl (Ashmall) . . . . .    | 0 |
| Mr. Ward's b. Spitfire Kitty (H. Grimshaw) . . . . .  | 0 |
| Lord Stamford's ch. Lady Augusta (Custance) . . . . . | 0 |
| Lord Stamford's br. Sea Nymph (Edwards) . . . . .     | 0 |
| Mr. I'Anson's b. Borealis (Challoner) . . . . .       | 0 |

|  |   |
|--|---|
| Mr. Saxon's b. Countess (Midgley)            | 0 |
| Lord Exeter's br. Amelia (Rogers)            | 0 |
| Mr. F. Watt's b. Miss Armstrong (J. Snowden) | 0 |
| Lord St. Vincent's br. The Orphan (Reeves)   | 0 |
| Mr. Boyce's br. Fantail (W. Boyce)           | 0 |
| Lord Anglesea's ch. Cadeau (J. Daley)        | 0 |
| Mr. Ten Broeck's b. Tornado (Fordham)        | 0 |
| Mr. Fleming's br. Gold Dust (Norman)         | 0 |
| Mr. W. Robinson's Gratitude (Wells)          | 0 |
| Lord Coventry's b. Thalestris (J. Adams)     | 0 |
| Mr. Brayley's b. Golden Dust (A. Cowley)     | 0 |

Betting.—2 to 1 agst. Borealis, 5 to 1 agst. Lady Augusta, 6 to 1 agst. Sea Nymph, 8 to 1 agst. Marigold, 12 to 1 agst. Tornado, 100 to 7 agst. Miss Armstrong, 100 to 6 agst. Isoline, 20 to 1 agst. Gratitude, and 40 to 1 agst. Queen Bertha.

After three false starts the competitors were despatched from the post. Immediately they had settled into their places, Countess rushed to the front, and for a brief period kept the lead; but she was then headed by Golden Dust, who, in company with The Orphan, Borealis, and Sea Nymph, came on with the running, the body of horses in their rear being headed by Queen Bertha, Gold Dust, Amelia, Miss Armstrong, Fantail, Vivid, Marigold, and Tornado, the rear division being brought up by Cadeau, Spitfire Kitty, and Lady Augusta, the last of whom appeared to get badly off. Half-way through the furzes Mr. Brayley's filly drew slightly in advance, but before she had run many strides, was joined by Lord Stamford's selected Sea Nymph, the pair entering the old course nearly side by side, with Queen Bertha, Countess, Miss Armstrong, Fantail, Vivid, Old Orange Girl, and Borealis lying in a cluster at their heels, the latter being on the extreme right. The ruck, who had hitherto presented a scattered appearance, were enabled from the want of pace to get upon better terms with the leading division. Shortly after passing the mile-post Countess disappeared from her forward position, and her place was taken by Gold Dust, at whose quarters came Queen Bertha, then Fantail, The Orphan, Isoline, Marigold, Thalestris, Amelia, and Lady Augusta. Golden Dust and Sea Nymph retained their relative positions as they descended the hill and rounding the bend into the straight, where Mr. Brayley's hopes died out, leaving the thrice-tried Sea Nymph in possession of the lead. Shortly afterwards she was joined by Isoline, Marigold, Queen Bertha, Vivid, and her stable companion, Lady Augusta, the lot running in close company to the road, when Sea Nymph appeared in difficulties. Some few lengths before they reached the distance her place was supplied by her stable companion, who, for a short period, assumed a prominent position in the race, but dying away, however, on breasting the hill, she left Marigold in possession of the lead, with Isoline,



Queen Bertha, and Vivid as her only opponents. Reaching the centre of the stand, Isoline was in difficulties, and was passed by Queen Bertha and the French candidate, who gradually gained upon the leader to within half-a-dozen strides of the chair, where Aldcroft drove his mare to the front, and snatched the victory by a short head. Marigold, who stopped as if shot when headed, defeated Vivid by a like distance for second place. Isoline was beaten half a length only from the third; the favourite fifth, Old Orange Girl sixth, Lady Augusta seventh, Tornado eighth, and Sea Nymph next. Then came a number of pulling-up horses, the last of whom were Cadeau and Countess. Net value of the stakes, 5050*l*. Run in 2 min. 51 $\frac{1}{4}$  sec.

— SUICIDE OF MR. SWANBOROUGH, THE ACTOR.—Dr. Lankester held an inquest on the body of Mr. Henry Valentine Smith, aged sixty, professionally known by the name of "Swanborough," at his residence, 9, Greville-place, Kilburn, who had committed suicide. Mr. Francis Musgrave, the musical director at the Strand Theatre, who had resided with the family for two years, was the principal witness. He said he last saw the deceased alive on the morning of his death, and that he then appeared as well as usual. He had complained of giddiness and pains in the head, and had been in a low state for three or four weeks. The only reason he could assign for the act was that the business at the Strand Theatre had lately been bad, or not so good as it had been. He had heard the deceased speak of the bad business, but he was not, he believed, in pecuniary difficulties. He always had, and could get money. Latterly the deceased had been eccentric in his manner, and on one occasion he came up to his bed-room, and then returned to his own, where he always slept with his wife. There were no differences in the family, but quite the contrary, nor had he heard of any tendency in the family to insanity. Some weeks ago the deceased had a fit, and had not been the same man since, as he would sit for hours without speaking. A juror asked whether the deceased was a betting man?—Mr. Musgrave said he was not, and he was sure knew nothing of such matters. It was stated that the question was asked on account of a report which had been made. Mr. Musgrave further stated that the deceased was at the theatre the previous night. They returned home in his brougham. The deceased had been quite deaf for seventeen years; he had, however, believed that he should recover his hearing till about three weeks ago, when he was told the expectation was absurd. Since then he had desponded. Mr. Musgrave said the deceased always read his Bible before he retired to rest. The cook, Sarah Taylor, stated that as the deceased went on the morning in question to the closet upstairs, which was not usual, and did not return, she told the housemaid. The door was locked, but she heard breathing. Afterwards they told Miss Swanborough, and the gardener forced the door open. The deceased was in a sitting posture with a razor in his hand. Dr. Cleveland

attended and described the wound in the throat. The deceased never rallied, and died in three hours. Mr. Robins, a surgeon, said he had attended the deceased two or three times in the last twelve months. Since the fit his circulation had been feeble, and his state of health had no doubt acted on his mind, and produced a temporary aberration. The coroner said Mr. Robins's evidence was important as explaining the state of mind, and he thought that there could be no doubt but the act was committed during a temporary aberration of intellect. The jury concurred, and returned a verdict of "Temporary Insanity."

30. FATAL ACCIDENT ON THE BRIGHTON RAILWAY.—An appalling accident occurred to the five o'clock express train from Brighton, by which four passengers were killed, and upwards of thirty were more or less severely injured. The train in question, though termed an express, owing to its speed being somewhat faster than the ordinary trains, and consisting only of first and second class carriages, works through from Worthing, Shoreham, and other watering-places daily to Brighton, taking up and attaching the passenger traffic of the various converging branches, until, arrived at Hayward's-heath, it proceeds uninterruptedly to Croydon, which, in the due course of things, it should reach by six o'clock, so as to arrive at the terminus at Victoria by twenty minutes past six o'clock.

It was found at Croydon, however, that the train, though not heavily freighted, was considerably behind its time, and in order to make up for this lateness, the driver put on the steam at a pressure so excessive as to cause the boiler to burst, and the engine to leave the rails, dragging with it in its descent down an embanked part of the line between Streatham and Balham the entire train. The engine-driver was killed on the spot; but perhaps the most melancholy part of the sad havoc committed occurred to between thirty and forty of the Grenadier Guards, two companies of which regiment, with their officers, Colonels Keppell and Burnaby, Captain Norton, Lieutenant Trotter, and Quartermaster Collins, in all 150 strong, were returning from their periodical rifle practice at Eastbourne. On examining the shattered train, two of the Guards were discovered to have been killed, and some thirty others were extricated with great difficulty, and more or less wounded. Several civilians in the train also suffered severely. One lady was found dead, and another very seriously injured. The line was torn up in every direction. As soon as the occurrence was telegraphed to the metropolis, a special train was despatched from the Victoria station with Mr. Hawkins, the manager of the London and Brighton line, Mr. Francis, superintendent, and the medical and general staff. With this reinforcement of aid, which arrived within twenty minutes of the accident, all the sufferers were extricated, and those soldiers and civilians who could bear to be removed were at once brought on by the special train to the Victoria station.

Twenty-eight of the Guards were taken to the Guards' Hospital, in Rochester-row, under the superintendence of Dr. Lane, the house-surgeon, Sergeant Rushton, the steward, and others.

Two of the Guards, whose break-van, being next to the engine, was completely smashed, had a most marvellous escape, one being whirled away with only a broken arm, and the other with only a few bruises. The officers in command, who were in a carriage at the end of the train, escaped unhurt.

It should be mentioned that the particular length of line where the accident occurred is a newly-opened portion of the suburban railway system of the company, and that it has not been in work more than six months.

An inquest was held by Mr. Carter, the coroner, at Streatham, on the bodies of the deceased persons. After several of the men employed on the line had been examined, Mr. John Scott Russell was called by Mr. Faithful, on behalf of the company. He stated that he considered tank engines the safest and best kind of engine that could be used for traffic on this particular line, namely, between Victoria, London-bridge, and Croydon. He had heard nothing to account for the accident, except the irregular shutting off of the steam. Colonel Yolland, who had made an inquiry by direction of the Board of Trade, said that the permanent way was not strong enough to bear the weight of the engine and carriages running at such a speed. He did not think it expedient to run at the rate of sixty miles an hour with tank engines having 18 feet 6 in. wheel basis, especially when the engine was not tightly screwed up to the break-van behind it. The jury, after deliberating for an hour, returned the following verdict:—"That the deceased persons severally came by their deaths from accident, and we, the jury, are of opinion that it was attributable to the high rate of speed at which the express trains run over the line from Croydon to Victoria. The jury would urge on the directors of the London and Brighton Company the necessity of allowing more time for the performance of the journey, and that careful attention should be given to the coupling of the trains."

## JUNE.

1. LUNAR ECLIPSE.—A lunar eclipse was seen to great advantage in the metropolis. Although not so exciting or interesting an incident as a total solar eclipse—the one producing some five minutes' darkness during the day, when the contrast is very sudden, and the other an hour's darkness during the night—yet the recent event was observed with great pleasure by numbers in the streets and on the bridges. During the whole of the eclipse

the sky was splendidly clear, although in the earlier part of the evening it looked somewhat threatening. The moon rose, however, round as a shield (being full at 11.30 p.m.). Had the eclipse commenced a few minutes earlier, we should have had a recurrence of that which occurred in the lunar eclipses of 1666 (June 16) and 1668 (May 26), when the moon rose eclipsed whilst the sun was still above the horizon.

At the time of totality the moon presented a soft, woolly appearance, apparently more globular in form than when fully illuminated. Faint traces of the larger and brighter mountains were visible. The sky being beautifully clear, the effect of the moon's light in obliterating the fainter stars was very apparent. As the light became gradually dimmer, one star after another came out, until at length the whole of the Milky Way, which had previously been invisible, stood out with all its beautiful undulations and varying brightness. The saying, "*inter ignes luna minores*," was reversed for a short period. Although the last contact with the real shadow occurred at a few minutes past one, it was not until two o'clock that the moon's light was free from the penumbra.

This was the finest lunar eclipse which will occur for some years. Although in general there are more solar than lunar eclipses—forty-one solar and twenty-nine lunar occurring in the space of eighteen years (or the *Saros*)—yet at any one locality there will be fewer solar than lunar eclipses, the latter being visible over one-half the globe, whilst the former is confined to a small portion of the earth.

4. ASCOT RACES.—THE CUP DAY.—These races derived this year unusual *éclat* from the presence of the Prince and Princess of Wales, who were received on the course with enthusiastic acclamations by an immense concourse of visitors, as well as from the remarkable circumstance of the contest for the great prize of the day terminating in a dead heat. It took place as follows:—

The GOLD CUP, by subscription of twenty sovs. each, with 200 added from the fund. The Cup of 300 sovs. value; the owner of the second horse to receive 50 sovs. out of the stakes; weights for age. About 2½ miles. 28 subs.

|   |    |
|---|----|
| Mr. Merry's Buckstone, by Voltigeur, 4 yrs.,<br>8st. 7lb. (A. Edwards)            | †1 |
| Lord W. Powlett's Tim Whiffler, 4 yrs., 8st. 7lb.<br>(S. Rogers)                  | †2 |
| Mr. T. Valentine's Hurricane, 4 yrs., 8st. 4lb. (carr.<br>8st. 5lb.) (Aldcroft)   | 3  |
| Mr. R. Boyce's Carisbrook, 4 yrs., 8st. 7lb. (Boyce)                              | 0  |
| Mr. W. P'Anson's br. m. Caller Ou, 5 yrs.,<br>8st. 11lb. (Challoner)              | 0  |
| Lord W. Powlett's f. Eleanor, by Kingston—Kate,<br>3 yrs., 6st. 13lb. (E. Martin) | 0  |

Betting.—5 to 4 agst. Tim Whiffler, 9 to 4 agst. Buckstone,



9 to 2 agst. Caller Ou, 100 to 8 agst. Carisbrook, and 20 to 1 agst. Hurricane.

Eleanor, for the purpose of serving her stable companion, immediately rushed to the front, and made play at her best pace, the favourite going on second, with Carisbrook and Buckstone third and fourth, and Hurricane and Caller Ou lying away. On passing the Stand, Buckstone ran past Mr. Boyce's colt, and went on in waiting upon the two leaders to the foot of the hill, where the pace somewhat decreased, and on approaching the lime-kilns Tim Whiffler joined his stable companion, the pair running in company to the old mile-post, where the filly was disposed of, and was seen in a few strides after in the extreme rear, leaving the command with Tim Whiffler, who came on with a decided lead to the road, where Buckstone drew forward, Carisbrook still lying third, Caller Ou at the same time quitting her rearward position, and taking the fourth place. Rounding the bend for home the two leaders appeared to get upon closer terms, and as they approached the distance shouts arose from the stand of "Whiffler wins," but which were speedily superseded by the shouts of the partisans of the yellow jacket and black cap as Buckstone reached his antagonist at the enclosure, the balance of favour, as the two ran locked together to the end, remaining equal until the fiat of the judge (who was unable to separate them) was made manifest by the exhibition of the numbers 4 and 5 side by side, making it a dead heat. Hurricane, who ran past the others, who pulled up, was placed third by the judge, although beaten off a long way. The others trotted past the post at similar intervals. The race was run in 4 min. 38 $\frac{3}{4}$  sec.

Deciding Heat.—Betting 7 to 4 on Tim Whiffler, who made the running at a strong pace, followed by Buckstone under waiting orders to the entrance into the straight, where the latter got closer, and Edwards, with commendable patience, bided his time until they reached the centre of the Stand, when he made his effort, and in the next stride headed the favourite, and won by two lengths. The race was run in 4 min. 23 $\frac{1}{2}$  sec.

8. THE CITY ENTERTAINMENT TO THE PRINCE AND PRINCESS OF WALES.—The ball at Guildhall, on the occasion of H.R.H. the Prince of Wales taking up his freedom as a citizen by birth, will long be remembered as one of the most splendid entertainments ever given to royalty. The hall itself was entirely remodelled for the occasion, and the courtyard occupied by a temporary building, which was absolutely necessary to accommodate the two thousand guests that were invited, and very few of whom failed to attend. It was not so much a ball as a grand assembly, a fête occasionally varied with dancing. The arrangements made by the New Commissioner of Police, Colonel Fraser, were very good, and the guests arrived without any inconvenience. Assistance was obtained from the Metropolitan police, and the route of the procession, which was crowded throughout, was well

kept. The doors were opened at six, and from that hour till nine there was a continuous influx of distinguished guests.

At a quarter-past nine the royal guests arrived. Foremost came their Royal Highnesses the Prince and Princess, the former wearing his uniform of Field-Marshal, with the ribbon and star of the Garter. The latter wore a rich but simple white dress, with the coronet and brooch of diamonds given her by her Royal husband, but with the superb City necklace of brilliants. Her hair was turned back from her forehead, in the style which her portraits have made so familiar. With them came Prince Alfred, in his lieutenant's uniform, his face looking bronzed, in contrast with the fair complexion of his brother. With the royal party came their Royal Highnesses the Duchess of Cambridge, the Duke of Cambridge, Princess Mary of Cambridge, Prince of Reuss Schleiz, Prince of Orange, and Her Highness the Princess of Servia.

Upon their alighting, the Lord Mayor and Lady Mayoress advanced to receive the City's guests, and the Princess of Wales taking the arm of the Lord Mayor, while the Prince gave his to the Lady Mayoress, the party, headed by the Entertainment Committee, entered the hall. The band played the National Anthem as they entered, but beyond this there was no manifestation, and nothing but the prolonged deep reverences from all sides as they passed marked the presence of the Prince and Princess. Arrived at the dais there was a moment's pause, after which the ceremony of admitting His Royal Highness to the freedom of the City was gone through, with all the legal formalities, and a speech from the Chamberlain, in reply to which the Prince spoke as follows:—

"My Lord Mayor, Mr. Chamberlain, and Gentlemen,—It is, I assure you, a source of sincere gratification to me to attend here for the purpose of being invested with a privilege which, for the reasons you have stated, you are unable to confer upon me, and which descends to me by inheritance. It is a patrimony that I am proud to claim—this freedom of the greatest city of the commercial world, which holds its charter from such an ancient date. My pride is increased when I call to memory the long list of illustrious men who have been enrolled among the citizens of London, more especially when I connect with the list the beloved father to whom you have adverted in such warm terms of eulogy and respect, and through whom I am here to claim my freedom of the City of London. My Lord Mayor and Gentlemen, the Princess and myself heartily thank you for the past—for your loyalty and expressions of attachment towards the Queen, for the manifestations of this evening towards ourselves, and for all your prayers for our future happiness."

When these formalities had terminated, the royal visitors withdrew from the hall, but presently returning, the ball began, the Lord Mayor leading off in a quadrille with Her Royal Highness

the Princess, immediately in front of the *haut pas*, and the Prince with the Lady Mayoress. For nearly two hours the dancing was maintained with unflagging spirit, Her Royal Highness joining repeatedly, and the Prince still more frequently. On one occasion the Prince of Orange engaged the Princess for a partner in a quadrille, Prince Alfred dancing with the Lady Mayoress, and the Princess Mary of Cambridge with the Lord Mayor. At times the Duke of Cambridge, the Prince Reuss Schleiz, the Duke of Manchester, Lord Granville, Lord Grosvenor, Lord Bury, and other distinguished persons joined in the dance, which was conducted in an open space in front of the dais, kept with difficulty from the eager crowd of guests who pressed forward to witness it.

Shortly before twelve o'clock, the Reception Committee, amid a flourish of trumpets, led the way for the royal party to supper in the Council Chamber, the Lord Mayor conducting Her Royal Highness the Princess, and the Prince the Lady Mayoress. After the supper, and before returning to the ball-room in the Hall, the royal party were conducted through the Court of Aldermen, where a pleasant and graceful little surprise had been prepared for the Princess. In a large, deep recess, occupying nearly one side of the Court, was a moonlight scene of a palace, with a broad-spreading lawn reaching down in the foreground, to where real plants and ferns had been artistically arranged so as to make it seem almost a continuation of the picture. This picture, which, lit from behind, made an exquisite moonlight scene, was a view of Prince Christian's palace of Bernstorff, where the Princess Alexandra was born, and standing in the centre of the lawn was a figure of the Princess herself, as if in the act of moving forward towards the entrance of the mansion. Regarded only as a most effective scene by moonlight the picture would have been worth a visit, but it was evidently dearly welcome to the Princess as the picture of what was once her home, and she was earnest and animated in her praise of it. The idea of this picture made it a well-timed and delicate compliment to her visit, and the Corporation must have been more than repaid by the evident gratification it afforded her. It was one of the prettiest incidents of the night.

At two o'clock the festivity was at its height, and shortly afterwards the royal guests left, when no etiquette could entirely restrain the warm testimonies of affectionate respect with which they were greeted.

The Corporation afterwards received a letter from Lieut.-Gen. Knollys, conveying the warm acknowledgments of their Royal Highnesses of the splendour and cordiality of their reception.

9. INAUGURATION OF THE MEMORIAL OF 1851.—The Queen, accompanied by the younger members of the Royal Family, and attended by the royal suite, came up to London from Windsor, and proceeded to the Horticultural Gardens to inspect privately the memorial to the Prince Consort. The Queen was received at

the gardens by the Duke of Buccleuch, President, and Sir W. Dilke, Bart., Vice-President; and on reaching the memorial was there met by Mr. Durham, the sculptor; Alderman Challis, Chairman of the Committee; and Mr. Godwin, the Secretary, who had the honour of being presented to Her Majesty. The Queen made a minute and careful inspection of the memorial, and repeatedly expressed her satisfaction with it from every point of view. Her Majesty also manifested much interest in the progress of the gardens and conservatories, with which she graciously declared herself much pleased. In the gardens were also present to meet Her Majesty Earl Granville, Viscount Sydney, and the Executive Committee. Thence Her Majesty drove to Marlborough House to visit the Prince and Princess of Wales; and here the Prince of Orange paid a visit to Her Majesty. The Queen afterwards returned to Windsor.

The formal inauguration of the memorial took place on June 10th, in the presence of the Prince and Princess of Wales, who were accompanied by Prince Alfred, Princesses Helena and Louisa, and Princes Arthur and Leopold, and attended by a very numerous retinue of the ladies and gentlemen of the Court. The Duke of Cambridge, the Duchess of Cambridge, and Princess Mary were also present. The royal party arrived at the International Building at four o'clock, and were conducted to their places on the platform under the western dome. Their presence was announced by a flourish of trumpets, and the playing of "God save the Queen," by the three Guards' bands united.

An address was presented to the Prince, to which His Royal Highness replied in the following terms:—

"I have listened with an interest which I am sure will be shared by all present to the details which you have given in connexion with the memorial to my lamented and revered father, and which we are assembled this day to inaugurate. As a son I cannot but be deeply affected by that part of your address in which you have referred to the beloved parent, whose aid and counsel were never wanting where work was to be done, or where difficulties were to be overcome. I am confident that our proceedings in commemorating so proud a year in England's annals would have met with his approval, and I am sustained in the part which, in obedience to the Queen's commands, I have undertaken, by a conviction and grateful sense that the sympathy of the entire nation accompanies me. I have now the pleasure of directing that the memorial (of which the artist may well be proud) be uncovered."

The statue was then uncovered, accompanied by a flourish of trumpets and a salute of artillery, from a battery placed in Hyde-park. The fountains began to play, and the united bands of the Guards played the Coronation March from the "Prophète," shortly after which the brilliant assemblage separated.

— THE DUNDONALD PEERAGE.—The Dundonald case came before



the Committee of Privileges of the Lords. It was brought by the eldest son of the celebrated Admiral, who prayed their Lordships to declare him the legitimate son of his father and the rightful inheritor of the title. The claim was in the first instance disputed by Captain Cochrane, at present in command of the "Warrior," and some strange testimony was given aspersing the character of the mother of both claimants. The venerable lady herself appeared, and indignantly denied the imputations. The Committee found themselves in an embarrassing position—in now being called upon to decide a case on *ex-parte* statements, for Captain Cochrane had subsequently to the first meeting withdrawn his opposition; but they determined, as the case had been begun, it ought to be heard through. After hearing the evidence, the Committee decided that the claim of the eldest son was satisfactorily made out.

12. THE BALLAST-HEAVERS OF LONDON AND THE LATE PRINCE CONSORT.—The ballast-heavers of the port of London presented a "birthday address" to the Queen, in which they extolled the virtues of the late Prince Consort. They said: "Before he came to our aid we could only get work through a body of river-side publicans and middlemen, who made us drink before they would give us a job, made us drink while we were at it, and kept us waiting for our wages and drinking after we had done our work, so that we could take only half our wages home to our families, and that half too often reached them through a drunkard's hands." They could get no help till they appealed to the Prince Consort. He got a clause inserted in the Merchant Shipping Act which put them under the control of the Corporation of the Trinity House, passed rules for their employment, got their wages paid in money, gave them a house to wait in for their work, supplied it with papers and books, and encouraged them to form a sick and benefit society. The address concluded as follows:—"We celebrate our deliverance by an annual treat on your Majesty's birthday; and your Majesty will not wonder that we then think with special gratitude of our deliverer. He year by year asked after us, and rejoiced to hear of our improvement while he lived on earth; and, now that he is in Heaven, we trust that he knows of us still. But, your Majesty, we should like to have a representation of him in the room that he and the brethren gave us; we should like to see his kind and earnest face looking on us as we daily partake of the boon he has secured us; we should like to have a framed engraving of him in our waiting and reading room; and we should be very glad if you, whom he loved so truly and served so well, would give us this gift in remembrance of our benefactor, and as a reminder that we, in our humble way, should strive to be, as husbands, fathers, and men, what he was. We hope your Majesty will excuse our boldness in asking this favour, but we feel we may speak to our Prince's wife; and therefore, praying you to grant our humble request, we are your Majesty's most obedient and faithful servants."

The following reply was returned to their letter :—

“ Windsor Castle, June 12. ”

“ My dear Sir,—I have had the honour to lay before Her Majesty the Queen the address from the ballast-heavers of the port of London, which you have forwarded to me for presentation. Her Majesty has been deeply touched by this spontaneous testimony to the active benevolence of her beloved husband ; and amongst all the tokens of sympathy in her grief, which she has gratefully received from all classes of her people, no one has been more gratifying to the Queen, and no one more in harmony with her feelings, than the simple and unpretending tribute from these honest hard-working men. I am commanded to request that you will assure the ballast-heavers that the interest in their welfare so usefully displayed by him whose life was employed in endeavouring to benefit the people of this country, is fully shared by Her Majesty, and that Her Majesty rejoices to hear of the happy change in their moral and social condition. The Queen has the greatest pleasure in complying with the request contained in the address, and has ordered two prints of the Prince Consort, one in uniform and one in ordinary dress, to be framed and presented, to be hung in the room in which the ballast-heavers wait ; to these Her Majesty has added one of herself, as the Queen would wish, in the remembrance of these grateful men, to be associated with the memory of her great and good husband, whose virtues they have so highly and justly appreciated.

“ Believe me sincerely yours,

“ C. B. PHIPPS.

“ Fredk. J. Furnivall, Esq.”

13. A DEPUTATION representing the ladies of North Wales had an interview with the Princess of Wales at Marlborough House, and presented to Her Royal Highness the jewels subscribed for by the ladies of the Northern Counties.

Each lady of the deputation represented one of the counties of North Wales. There were present the Countess of Powis, Lady Lucy Herbert, Lady Louisa Pennant, Lady Williams Wynn, the Hon. Mrs. Stanley, Mrs. Wynne, and Mrs. William Gladstone.

The Countess Vane, who was also deputed from one of the Welsh counties, was unavoidably prevented from attending upon this occasion.

The present was composed of a leek formed of emeralds and diamonds, earrings to correspond, and a brooch also formed of emeralds and diamonds. On the leek was a motto in Welsh, signifying “ To our own Princess.”

The Princess of Wales was attended by the Countess de Grey, Lady in Waiting, and Lord Harris, Chamberlain. The Prince of Wales was present at the reception.

16, 17, 18. VISIT OF THE PRINCE AND PRINCESS OF WALES TO OXFORD.—It having been resolved to confer the degree of D.C.L. on His Royal Highness the Prince of Wales at the Commemoration, the Prince and Princess, attended by their suite, arrived by special train at the Culham station at half-past eleven, on Tuesday, June 16th, and thence proceeded by the road to Magdalen-bridge, at Oxford, where they were received by the authorities of both the University and the City, and addresses were presented. The bridge was most tastefully decorated, the Oxfordshire Yeomanry Cavalry, the City Rifle Corps, and a body of metropolitan police were present, and the crowd of spectators was immense, but unfortunately it was a very wet day; nevertheless the Prince and Princess travelled in an open carriage from the entrance of the city to the Deanery of Christ Church, where they were the guests of Dr. Liddell, the Dean. In the "Tom Quad," the University Rifle Corps was drawn up, and presented arms as the royal carriages passed.

After a short delay, the Prince and Princess proceeded to a marquee erected in the centre of the east terrace of the quadrangle. The Canons of Christ Church, Dr. Pusey, Dr. Jelf, Dr. Stanley, Dr. Jacobson, and Archdeacon Clerke, were ready under the canvas to receive their Royal Highnesses. Following them came the Duke of Newcastle, Lord Granville, Mr. Gladstone and Mrs. Gladstone, the Bishop of London, the Bishop of Oxford, and the Archbishop of Armagh. The Princess then presented the prizes that had recently been gained by the Volunteers, as follows:—

Prince of Wales's Prize: A Silver Cup—Sergeant-Major Medlicott, Christ Church.

Lieut.-Col. Bowyer's Prize: Silver Cup—Private Macrae, University College.

Capt. Parker's Prize: A Cup—Sergeant G. Norsworthy, Magdalen College.

The Company's Cup—Sergeant Middleton, Magdalen College.

Mr. Tyrwhitt's Rifle—Capt. Allen, Brasenose College.

Engravings to Sergeant Davies, Jesus College; Sergeant Stonehouse, Brasenose; Private Ricketts, St. John's; Sergeant H. Norsworthy, Magdalen.

The silver cups and vases, particularly that presented by the Prince of Wales, were both large and valuable, as well as elegant pieces of workmanship. As soon as the Princess had finished distributing the prizes, the band struck up, the companies marched past, and, this done, the royal party, with a select circle of invited guests, withdrew to the Deanery to lunch.

At three the proceedings in the Sheldonian Theatre took place, which were the ostensible cause of the royal visit. The Chancellor (Earl of Derby) presided, and with him were the Dukes of Buccleuch, Newcastle, and Marlborough; Lord Granville, the Earl of Carnarvon, Mr. Gladstone; the Archbishops of Canterbury,

York, and Armagh; the Bishops of London, Lincoln, and Chester, and the Dean of Westminster. When all were seated, the Earl of Derby, as Chancellor, rose, and read from a paper a few lines in Latin, declaring the purpose for which that particular Convocation was held—viz., to confer the degree of D.C.L. upon the Prince of Wales. That formality complete, his lordship, turning to the Prince, proceeded to address him in the following Latin speech, which was greatly admired both for the excellence of the Latinity, and the happy choice of topics which it displayed:—

*“Oratio ad Illustrissimum Principem Albertum Edvardum, Principem Gualthiae, ab Edvardo Galfrido Comite de Derby, Universitatis Oxoniensis Cancellario, in Theatro Sheldoniano, habita die xvi. mensis Junii, A.D. M. DCCC. LXIII.*

“Illustrissime Princeps, Britanniarum Spes et Expectatio,—

“Antiquitus usitatum, quoties haec annua fiat Benefactorum nostrorum Commemoratio, eos academicis honoribus decorare, qui aut per genus et proavos illustres extitere, aut qui in arte militari seu nautica bene de patria meruere, aut in philosophia scientiave, aut in rebus publicis gerendis eximios se praestitere, aut quorum denique de flore juventutis largos fructus maturae aetatis haud dubiis indiciis augurari licet, plusquam solenni laetitia hodierno die perficimus: gratiasque Tibi agimus quam maximas, quod, paucis admodum post auspicatissimas tuas nuptias mensibus, has venerabiles doctrinae sedes, quibus haud ita pridem alumnus interfuisti, dignatus es invisere. Nec mediocriter auget laetitiam, quod Illustrissimam Conjugem Tuam hodierni Tui honoris sociam participem adhibuisti.

“De Ea quid loquar? Ipsa adest; et in egregia formae pulchritudine, in benigna dulcium oculorum luce, in fronte illa nobili et pudica, nobis omnibus, qui hic adsumus, innatas virtutes animae, velut in speculo mirari licet. Ipsa adest; et jam nunc conspectu Tuo fruitur, horum omnium ora vultusque videt, plausus clamoresque audit, et, Ipsa testis, agnoscit quali studio, quanto amore, Te, Conjugem Suum, venerabilis haec Academia prosequatur. Illam, stirpe Regia ortam, gente amicissima editam, quacum utinam indies conjunctiora fiant amicitiae nostrae vincula, ex quo primum die oras nostras tetigit, non jam ut alienam, sed ut indigenam, non hospitem, sed familiarem, non nurum, sed Filiam dilectissimam suam sibi Patria haec omnis propriamque vindicat. Salvete iterum iterumque ambo,

“Felices ter et amplius”  
Vos “irrupta” liget “copula; nec malis  
Divulsus querimoniis  
Suprema citius” solvat “amor die.”

“Hodiernae quidem laetitiae unum modo deest. O si fieri potuisset, ut huic concioni, in honorem Tuum habitae, Ipsa decus et corona adesset Augustissima Mater Tua, Mater Patriae, quam



ab amantium subditorum oculis jam diutius sublatam desideramus et quaerimus! Sed prohibet vulnus adhuc recens, et immedicabilis ille dolor tanti Conjugis amissi, quem fovet, et novissimam usque ad lucem imo pectore repostum fovebit.

"Te vero, Illustrissime Princeps, non modo Haeredem, quum Solii, tum Virtutum Illustrium Parentum Tuorum, laeti et gratulantes salutamus, sed hujus Universitatis Alumnum; qui haec intra moenia per biennii prope spatium bonis artibus diligenter studebas; neque, generosissimus licet et porphyrogenitus, aut illustri genere, aut Solii proximitate, turpem desidiam aut effrenem licentiam praetagebas, sed Te in omnibus Universitatis disciplinae obsequentem et condiscipulis Tuis insigne exemplar praestabas; quippe haud ignarus neminem imperii capacem futurum, nisi qui adolescens auctoritati obtemperare noverit; ideoque ii qui Tecum in statu pupillari versabantur

"Sensere quid mens rite, quid indoles,  
Nutrita faustis sub penetralibus,  
Posset, quid" Alberti "paternus  
In Pueros animus" Britannos.

"Horum memores, et, ab auspicio bono profecti, optime de futuro augurantes, Te, cum assensu plausuque omnium, togam Doctoris in Jure Civili induere decrevimus: et in hoc gradu superiori academico tribuendo nobis in animo est, ut amorem et venerationem significemus quibus Augustissimam Matrem Tuam, quibus Illustrissimi Tui Genitoris memoriam, quibus denique Te Ipsum colimus; necnon spem nostram certamque fiduciam, Te sanguinem unde editus, mores quibus instructus, altam sortem ad quam natus es, factis Tuis nunquam dedecoraturum.

"Honores igitur, quos Tibi, si quid honoris Avito Tuo Stemmati Tuisque Ipsius Virtutibus adjicere possumus, felicibus (ut speramus) auspiciis largimur, Tu felix faustusque aggredere; et, Adolescens adhuc, inter Academiae Proceres jam nunc assuesce vocari. Per hoc Diploma, quod Tibi unanimo consensu decrevit haec venerabilis Universitas, quod precor ut mitis et benignus accipias, quo in proferendo gratissimo mihi munere perfungor, ego auctoritate mea et totius Universitatis admitto Te ad gradum Doctoris in Jure Civili."

At the conclusion of the address, the Chancellor presented the diploma, conferring the degree of Doctor in Civil Law on His Royal Highness, amid prolonged applause. After the usual presentation by the Regius Professor of Civil Law (Dr. Travers Twiss), the honorary degree of D.C.L. was conferred on Lord Spencer, Lord Mount Edgcumbe, Lord Harris, and General Knollys. Congratulatory poems were then delivered on the occasion of the royal visit by two Undergraduates. The royal party next paid a visit to the Bazaar for the benefit of the Radcliffe Infirmary in St. John's gardens, and the Horticultural Show in the adjoining grounds of Trinity. Both fêtes were celebrated under the depressing influence of pouring rain.

In the evening the Prince and Princess of Wales were entertained at a grand state banquet in the Hall of Christ Church, which had lately been renovated, and on this occasion presented an exceedingly brilliant appearance. At the dais, under the portrait of King Henry VIII., sat the Dean and Mrs. Liddell, having immediately on their right and left the Prince and Princess, the Archbishop of Canterbury, the Archbishop of York, Mrs. Thomson, the Duke of Newcastle, Lord Derby, Lord Granville, Lord Carnarvon, Lord Spencer, Lord Harris, the Lady de Grey and Ripon, Lord Stanhope, &c. At the doctors' tables were the Chancellor of the Exchequer and Mrs. Gladstone, Mr. Disraeli, Mr. S. Walpole, Mr. Newdegate, Sir W. Heathcote, Sir H. Cairns, Mr. Whiteside, Mr. Seymour Fitzgerald, Mr. Cardwell, Sir S. Northcote, the Bishops of London, Oxford, and Lincoln, Lord Dufferin, &c. The banquet was otherwise numerously attended by doctors, masters, and students. The programme of the evening was completed by the visit of the Prince and Princess to the Masonic ball in the Corn Exchange, which was densely crowded.

On the 17th, the Prince and Princess attended again at the Sheldonian Theatre, for the Commemoration proper, when, with the usual ceremonies, the degree of D.C.L. was conferred on the following noblemen and gentlemen:—Earl Granville, the Duke of Newcastle, His Excellency the Danish Minister, the Right Hon. Edward Cardwell, the Right Hon. James Whiteside, Sir Stafford Northcote, Sir Hugh Cairns, Mr. Seymour Fitzgerald.

The ceremony over, the Rev. R. Michell, D.D., Public Orator, delivered the Creweian oration in praise of founders and benefactors. The prize compositions were next recited by the successful competitors, which closed the proceedings, and the Prince and Princess, with the rest of the distinguished company, left for All Souls, where they partook of a collation given by the University as a body. The Chancellor, who led the Princess to her seat, presided, and the Prince conducted the Countess of Derby. At the royal table were the Duke of Newcastle, the Duke and Duchess of Marlborough, the Duke and Duchess of Buccleuch, Earl Granville, the Earl and Countess of Carnarvon, the Archbishops of Canterbury, York, and Armagh, the Danish Minister and Mademoiselle de Bille, and the Countess de Grey and Ripon; with the Senior and Junior Proctors as representing the University.

The same evening the time-honoured procession of boats took place on the Isis. The river presented a most beautiful sight. The various college barges moved along the bank, their tops covered with gaily-dressed ladies. The University barge, adorned with flags and flowers, was an object of general attraction. On the opposite side of the river large stands were erected, and filled with ladies. The Prince and Princess arrived at the barge in a boat constructed for the occasion. Mr. Hoare, the famous Uni-

versity "stroke," occupied that position in the royal boat. After rowing past the barges the royal boat returned to the University barge, when the Prince and Princess disembarked. The roof of this was covered with a distinguished company. Two picked crews then pulled a short race past the royal barge, very few of the spectators caring which won, though all must have admired the skill and strength with which they rowed. Then came the procession of the boats, and Trinity, as at the head of the river, sweeping proudly up in its "eight," which came flying over the water as silently and as quickly as a bird, stopped in its own length before the royal barge, that the boats of all the other colleges might do homage to their supremacy and past year's triumph over them. This they did in the usual manner as they came by in long procession, tossing their oars in honour of Trinity, and then waving their hats and cheering in honour of the Princess, who seemed greatly amused and interested in the whole proceeding. This over, the whole long file of boats swept under Folly-bridge, and, turning there, came back again in procession two and two abreast. All again tossed their oars as they passed the Princess. The crews of "Corpus" and "Jesus," "torpids," not only tossed oars, but rose to their feet as they passed the royal barge; and the crew of the Balliol first boat—with a view of adding to the amusement of the spectators—deliberately upset their boat opposite the barge, and then, up to their waists in water, renewed their cheering. Again the royal visitors took to their boat, while the band played "God Save the Queen."

Later in the evening the royal party was present at a banquet given by the Vice-Chancellor in Exeter College Hall, and the festivities were brought to a close by a ball in the Corn Exchange, which was given by the members of Christ Church.

On the 18th, the Prince conducted the Princess on a visit to his former residence of Frewen Hall, and to several of the colleges, the Bodleian, &c., after which they quitted Oxford for Windsor early in the afternoon, the City Rifle Corps supplying a guard of honour at the station.

18. AN inquest was held relative to the death of Mary Anne Walkley, aged twenty years, in the employment of Madame Elise, Court dress-maker, of 170, Regent-street, where it would seem the average hours of work are sixteen and a half per day. It appeared from the evidence that the deceased, a country girl of delicate constitution, worked in a room with nearly thirty others, and was taken ill, and became much worse, when medical assistance was called in. Remedies having been administered, she appeared to fall asleep, and her bedfellow on awaking in the morning was shocked to find her companion dead by her side. A post-mortem examination was made by Mr. Keys, who stated that death resulted from apoplexy, and that long hours of work in a crowded apartment, and sleeping in a close, badly-ventilated room, would have a great tendency to produce the symptoms which he

described. Mr. Clarke, surgeon, concurred in the evidence of Mr. Keys. He described the bed-rooms, which were divided by partitions into small compartments, as just large enough to contain two beds placed end to end. If, as had been stated, there were two young women in each bed, he considered they were decidedly unfit places for any one to sleep in, and more particularly in the state of health in which the deceased had been. Mr. Bush, another surgeon, also expressed his opinion that the rooms in which the deceased died were overcrowded and badly ventilated. The jury returned the following verdict:—"That the deceased died of apoplexy; but there is too much reason to fear that her death was greatly accelerated by working long hours in a crowded work-room, and sleeping in a close, badly-ventilated bed-room." Dr. Lankester subsequently presented a report to the vestry of St. James's, Westminster, in reference to the work-rooms and bed-rooms of Madame Elise. He stated that the work and bed-rooms were scrupulously clean and otherwise well managed, but that the ventilation was defective; in the bed-room where Miss Walkley died there was provision for ventilation in so far that the upper sash of the window can be let down; and that supposing four people slept in the room each would have about 340 cubic feet of air. In the work-rooms sixty young girls were at work, and they had little more than sixty cubic feet of air each. He suggested that such establishments should be put under Government inspection. The subject was remitted to a committee to consider how far it would be desirable to inspect houses where more than a certain number of persons worked or slept.

— COCK FIGHTING.—Before a bench of magistrates held at Loughborough, the Marquis of Hastings was charged with causing a cock to be cruelly tortured, and Edward Platts, Joseph Farebrother, and James Dumelba, gamekeepers, with aiding and abetting in the offence. Mr. Sleigh conducted the prosecution on behalf of the Society for the Prevention of Cruelty to Animals. Mr. Love, the principal constable of the society, said that he had gone down to make inquiries regarding this charge. On the 4th of June, accompanied by an officer of the society, he called on Platts, who told him that the Marquis of Hastings had had some good cock-fighting at Donington Hall on a Sunday three weeks before. He said they fought six pairs of cocks, that there were six cocks killed, that they had all steel spurs on, and that the Marquis was one of the persons who put the cocks together to fight. The other persons accused were present. Mr. John Colam, secretary of the society, and George Young, an officer in their employment, stated that they had called on Lord Hastings on the 8th of June. They stated who they were, and told his lordship that he and other gentlemen were accused of having been present at a cock-fight at Donington Hall, and he admitted that the fight had taken place. Mr. Merewether, who appeared for the Marquis of Hastings, said, after the admission made to the Secretary, he



thought he could not say that there had been no cock-fighting, but his lordship denied altogether that there had been any cruelty used in the sense of the words of the information. As far as Lord Hastings and the three keepers were concerned, he should relieve the Bench from any further trouble. A conviction against them was then entered. The magistrates ordered the Marquis of Hastings to pay the full penalty of 5*l.*, and the three gamekeepers to pay a fine of 2*l.* each. The secretary stated that it was not the custom of the society to take the moiety of penalties allowed by the Act to complainants, and in this case he would be glad if the clerk would hand such moiety, amounting to 5*l.* 10*s.*, to the Loughborough Dispensary.

24. BRITISH ORPHAN ASYLUM.—The ceremony of inaugurating the new building for this asylum at Slough was a most brilliant one, apart from the interest attaching to the charitable object for which it is intended. The fine weather, the attendance of the Prince and Princess of Wales, and the excellent arrangements, combined to attract a very large number of visitors, and make the day at Slough a complete festival.

The Prince and Princess arrived by special train from London at four o'clock, and were received at the station by a deputation of directors, by whom they were conducted to the reception-room prepared for them in the main building. The procession was then formed, and consisted of the board of directors of the institution, headed by the chairman, Mr. Thomas Tilson, and the vice-chairman, Mr. Charles Wolloton, the clergy of the neighbourhood, the Sheriffs of London and Middlesex, the Lord Mayor, the Bishop of Ripon, the Bishop of Bath and Wells, and, lastly, their Royal Highnesses the Prince and Princess of Wales, attended by Lord Mount-Edgcumbe, Lord Jermyn, General Knollys, and a numerous suite. They proceeded from the west door through two lines of pupils of the school to a dais prepared for them beneath a large marquee erected on the lawn, and communicating with the main portion of the building. During the procession the National Anthem was played by the bands of the 18th Hussars and the Commissionnaires, who were in attendance during the whole day. On the arrival of the Prince and Princess at the dais the pupils of the Institution sung the Old Hundredth Psalm very sweetly, and an address to the Prince was read by Mr. Thomas Tilson, the chairman of the board of directors. It gave a short account of the foundation and gradual progress of the institution, stating the reasons that had determined the directors to move to the present premises. It alluded in grateful terms to the patronage already bestowed on the asylum by the Queen, the late Prince Consort, and the Prince of Wales, and concluded by expressing a hope that the Prince and Princess would allow their names to be enrolled as the Royal Vice-patron and Vice-patroness of the institution.

The Prince, in reply, said,—“It has given the Princess and

myself great pleasure to be present at the opening of your new asylum, and to have been invited to take part in so good a work. The benevolent purposes of this widely-extended institution speak for themselves. It is one in which the Queen and my lamented father, the promoter of every scheme for the relief of the necessitous, evinced warm interest; and the details which you have given of its formation and progress furnish another appeal for aid from those whose highest enjoyment is to give a home and education to the fatherless and destitute. It is a privilege, I assure you, that the Princess and myself value greatly, to have our names associated with the British Orphan Asylum."

His Royal Highness then declared the building to be open, and for ever dedicated to the purposes of the British Orphan Asylum. A prayer was offered by the Bishop of Bath and Wells, invoking the blessing of the Almighty on the institution. This was followed by a sacred song set to music by Dr. Sterndale Bennett, and specially composed for the occasion. The ladies who had purses to present then advanced in an almost endless procession, and, with graceful obeisance, deposited them on the table before their Royal Highnesses, making a goodly heap. The Prince of Wales, amid much cheering, announced that Mr. Edward Mackenzie had presented to the society the sum of 12,000*l.* to pay for the building.

The National Anthem was sung by the pupils of the Royal Academy, under the direction of Mr. Lucas. The Prince and Princess then proceeded to the south lawn, and there each planted a tree in commemoration of the events of the day. The trees were finely-grown specimens of the *Wellingtonia gigantea*, which had been presented by Mr. Turner for the purpose. The planting of the trees was followed by hearty cheering; and this interesting ceremony over, their Royal Highnesses left the grounds and returned to town.

In the afternoon the company were entertained at a splendid banquet, laid out in a marquee in the grounds of the asylum, at which the Lord Mayor presided.

— THE AFRICAN DISCOVERERS.—The discoverers of the source of the Nile—Captains Speke and Grant—were present at a special meeting of the Royal Geographical Society, at Burlington House. The meeting was most numerous attended. Sir Roderick Murchison presided, and panegyricized the gallant explorers. He presented a medal to Captain Speke, sent by the King of Italy, observing at the same time that it was probably only the precursor of more which other sovereigns would bestow. Captain Speke gave a detailed and most interesting account of his journeyings, to which Captain Grant added a few modest sentences. Both the gallant gentlemen were most cordially received.

24. FRIGHTFUL ACCIDENT AT CREMORNE.—Mr. James Bird, coroner for West Middlesex, held an inquest upon the body of Carlo Valerio, aged twenty-five, who expired in the morning from the effects of injuries received while performing on a wire rope at

Cremorne-gardens the previous evening. On the evening of the accident, about eight o'clock, the gardens were unusually full, and the deceased mounted the tight wire rope to go through his evolutions. Police-constable Avenell, 224 V, who was on duty in the gardens, said that when the deceased had reached a point about ten yards from the end of the rope, and about 300 feet from where he had started, something gave way in the tackle of "the fall" at the end from which he was furthest. The effect was instantaneous. The wire rope became slack at once, and the deceased was thrown right off. He fell headlong to the ground, from a height of forty feet, and alighted on his head on the gravel of the promenade. Dr. Ree and other medical gentlemen, who happened to be in the gardens, rushed to his aid. He was removed to his residence in Stanley-villas, Chelsea, and died there at three o'clock the next morning. His skull was fractured and his spine was believed to have been injured. Mr. Thomas Bartlett, machinist and master carpenter to the gardens, described the tackle. The wire rope, which was provided by the deceased himself, weighed about five cwt. At the end furthest from the ball-room it was made fast by "a fall," composed of an iron chain and a strong cable. One end of the chain was fastened to a massive iron hook, fixed to an elm-tree. When a man was on the rope the strain on the hook would be about two tons. The hook was calculated to bear a strain of six tons and the chain of five tons. The hook, however, broke right in two, and the rope of course fell slack, causing the accident. The witness believed that in some way the lightning on the previous night had softened or otherwise affected the iron, and caused it to give way. Mr. M'Culloch, of the Cadogan Ironworks, expressed a similar opinion as to the cause of the accident. The iron in the hook was of the best quality and manufacture. The hook would certainly have been calculated to bear a strain of six tons at least. Mr. E. T. Smith said that when Carlo Valerio applied to him for an engagement he declined to allow him to perform, and it was only after he had been furnished with proofs as to his great ability and perfect competence to perform with every prospect of safety to himself that he would consent. Even then he informed deceased that he should personally provide the ropes and tackle, as he would not incur any responsibility with regard to the matter. He advanced deceased 50*l.* to buy the wire rope, and deceased himself borrowed powerful cables from the Steamboat Company. Nothing, he added, should ever induce him again to permit a performance of this kind in the gardens. The jury returned a verdict, "That deceased lost his life through injuries from a fall in Cremorne-gardens, through the giving way accidentally of a certain iron hook." The proceedings then terminated. The effect of the occurrence on the crowded audience at the gardens was a general feeling of horror and pity. Several persons fainted, and one lady was so much affected that she had to be conveyed to St. George's Hospital.

26. **THE GUARDS' BALL.**—The Guards' ball to the Prince and Princess of Wales, which excited extraordinary interest amongst the higher circles, took place in the picture-galleries of the International Exhibition building. The beautiful rooms were decorated in the most elegant manner. The Queen kindly placed at the service of the committee the whole of the temporary fittings used at Buckingham Palace on festive occasions. Emulating this royal liberality, several members of the highest aristocracy contributed their stores of gold and silver plate without limitation; and the value of the plate and ornaments is stated at two millions sterling. The company, which was limited to 1400, commenced to arrive about nine o'clock, and the brilliant throng assembled in one of the galleries about ten o'clock to receive the Prince and Princess of Wales, who arrived shortly after. The ball was opened by a quadrille of sixteen—the Duke of Cambridge, as first among the gallant entertainers, leading forth the Princess of Wales, while the Prince danced with Princess Mary. Both the Prince and Princess seemed delighted with their reception, and the Princess, especially, was radiant with smiles and kindly recognitions of the fair faces around. Princess Mary also excited much admiration. The supper-room presented a scene of almost regal magnificence. Not a minute did the Prince lose after his return in recommencing the festivities of the evening, and again figure after figure succeeded each other rapidly, the Prince, with his untiring vivacity and kind, genial humour, standing up in every set, and the Princess also dancing often, but not waltzing. It was getting well on to the grey of dawn before their Royal Highnesses had quitted the room, while many of the company remained till five or six o'clock.

29. **SUICIDE IN A RAILWAY TRAIN.**—An inquest was held upon the body of an unfortunate gentleman who shot himself in a railway train. It was shown that about seven o'clock a.m., as the limited mail train from Edinburgh to London was approaching Newark-on-Trent, the passengers in one compartment were aroused from their sleep by the report of a pistol, and found that a gentleman had shot himself. The pistol was in his hand, and blood pouring from a ghastly wound in the right temple. The two gentlemen in the carriage with the suicide, who both turned out to be surgeons—viz., Dr. Low, of Martley, and Dr. Douglass, of Her Majesty's Indian Army, immediately raised an alarm, and the body was removed from the train at Newark, and taken by the police to the Newark Arms Inn, where the inquest was held before Mr. Griffin, coroner. Drs. Low and Douglass were detained at Newark as witnesses. The gentleman was ascertained to be M. le Viscompte de Marieo, a Frenchman and officer of the Legion of Honour. He had gold and silver money in his pockets, and letters and passport, but no baggage, and nothing to indicate his reason for destroying himself. Drs. Low and Douglass had travelled with him alone from Edinburgh and Berwick respectively, and con-



versed with him, and saw nothing to indicate insanity in his conversation. The jury returned a verdict, "That the deceased destroyed himself, but there was no evidence to show his state of mind at the time."

29. **STATUE TO LORD HERBERT.**—A memorial statue of the late Lord Herbert of Lea was uncovered at Salisbury. Lord Palmerston was to have officiated at the inauguration, but his recent attack of gout prevented him from being present. Earl de Grey and Ripon, however, occupied his place and uncovered the statue. The ceremony was imposing, and caused much interest.

30. **THE RE-OPENING OF HEREFORD CATHEDRAL**, after alterations and restorations of different parts of the edifice, took place with great ceremony. The restorations, so far as they have gone, have cost more than 40,000*l*. Towards this sum the Dean and Chapter of Hereford have raised 13,000*l*. by mortgage on the fabric estate, and the cathedral body have subscribed 10,000*l*. in addition from their private resources. The public have contributed some few thousands more, and there is still an outstanding balance to a large amount.

## JULY.

4. **DREADFUL SHIPWRECK IN NEW ZEALAND.**—The Rev. T. H. Campbell, Principal of the High School of the colony, was drowned, together with his wife, five children, and two servants, on the day after his arrival from England. They had crossed the ocean rapidly and prosperously, and arrived at Port Chalmers on Friday, July 3. On Saturday morning Mr. and Mrs. Campbell proceeded to Dunedin, and were welcomed by the chief authorities of the colony. They returned to Port Chalmers in the afternoon to bring their children to their new home. On the voyage, as it might be from Portsmouth to Southampton, their small steamer, the "*Pride of the Yarra*," was run down in the darkness of a hazy evening by a large vessel, the "*Favourite*." Eleven lives were lost, and nine of these were the family of Mr. Campbell. They were all in the cabin when the collision occurred, and nothing was heard or seen of them till the corpses were recovered next day by a diver. The Colonial Government voted them a public funeral, which was attended by the whole population of Dunedin with every mark of respect.

11. **BALLOON NAVIGATION.**—The following interesting account of his twelfth ascent was given by Mr. Glaisher, the well-known scientific aeronaut:—

"This ascent was intended to have combined extreme height and distance, and almost until the time of leaving the earth there

seemed to be a promise that both purposes, in these respects, would be realized. As the direction of the wind was due east, the paths of the pilot balloons were such as to indicate that our course would have been towards Devonshire.

"The sky was nearly covered with cirrus and cirrostratus clouds, and the air was in very gentle motion. The earth was left at 4h. 55m., the balloon moving towards the west till 4h. 59½m., when in a moment we came under the influence of a north wind, and moved almost due south; at this time the balloon was 2400 feet high. At 5h. 19m. we were nearly over Caterham, where a large number of persons was collected celebrating some festival; at 5h. 36m. were near Epsom Downs, at 5h. 49m. near Reigate, at 6h. 37m. over Horsham, and at 7h. 14m. within five or six miles of Brighton. Up to this time we had frequently consulted together, with the view of ascending higher; but it did not seem prudent to attempt extreme elevation, as we were running so directly towards the sea, and therefore we kept low, with the prospect of crossing the Channel to France, and then ascending to four or five miles; but on approaching the Channel the circumstances did not promise success. We therefore abandoned the attempt. On descending, when at the height of about 2400 feet, we again fell in with an east wind, being at the same elevation as we lost it at five o'clock. After this time we were compelled to keep at a low elevation, and moved very nearly parallel to the coast, at the rate of about fifteen miles per hour, at elevations varying from 1000 feet to 2000 feet, till, at 8h. 35m., we were over Goodwood Park, the seat of the Duke of Richmond, where Mr. Coxwell determined to descend, and managed the balloon so that finally it had to be pulled down, and we were not aware when the car touched the earth.

"The temperature at the time of leaving the Royal Observatory, Greenwich, was  $75\frac{1}{2}$  deg.; at the Crystal Palace it was 74 deg.; in the balloon it declined to 59 deg. by 5h. 4m. at the height of 3000 feet. We then entered a warm current, temperature increasing to  $61\cdot5$  deg.; then decreased to 60 deg. at the height of 4300 feet. We determined to descend to repeat the observations, and found all temperature down to 3000 feet nearly 5 deg. higher than at the same heights on ascending. We then turned to ascend, at 5h. 35m., and the temperature decreased gradually, agreeing with that at the same elevation as last taken, and continued to a height of 6200 feet, at 6h. 28m., where the temperature was  $52\frac{1}{2}$  deg. We continued at this elevation, with very slight variations, for half an hour, during which time the temperature fell from 1 deg. to 2 deg.

"At 7h. we were nearing the coast, and we descended to 900 feet by 7h. 20m., the temperature gradually and constantly increasing to  $65\frac{1}{2}$  deg. From this time we were moving westward almost parallel to the coast, and were compelled to keep below 2000 feet to avoid approaching the sea. The temperatures at these elevations varied from 63 deg. to 65 deg., and was  $68\frac{1}{2}$  deg. at Good-

wood at 8h. 50m., about ten minutes after we had touched the ground. At this time at Greenwich the temperature was 64 deg., at Brighton, as communicated to me by J. O. N. Rutter, Esq., it was 68 deg.

"On comparing the successive temperatures at the same elevations taken after 5h. 8m. with those at Greenwich, a corresponding decrease was shown, but somewhat less in amount.

"At 5h. 27m., when at the height of about 3000 feet, the 'Times' newspaper, folded four times, fell over the car. Its descent was watched. After a time it looked like a gull. It reached the ground at 5h. 35m., passing over seven or eight fields in its descent.

"Whilst passing from Brighton to Chichester, without any sense of motion ourselves, at an elevation of less than 2000 feet, over a beautiful country in all respects like Devonshire, with its fine parks of forest trees, noblemen's mansions, and all the features of rural landscape—a moving panorama, in fact, of great extent appearing in quick succession—like a fairy scene, the voyage was most enjoyable; and I must confess it was with some regret that we were compelled to conclude the aerial journey.

"The currents of air on this occasion were remarkable; there was no transition state from one to the other; the stratum of air moving from the north must have been in contact with that from the east. After reaching Horsham, the north wind must have been confounded with some west—that is at heights exceeding 5000 feet—which was lost on falling below this height, for then for a time we were moving towards Worthing. When near the south coast the smoke was frequently moving in a different direction to that of the balloon. At Arundel it was moving in the opposite direction. It was this uncertain state of things which prevented us passing to the Isle of Wight, as I very much wished to have some observations over the sea.

"At the Royal Observatory, Greenwich, the horizontal movement of the air between the hours of five and nine was at a rate of less than two miles an hour, whilst during three hours and three-quarters the balloon had passed between sixty and seventy miles. It is very evident that our instruments on the earth do not give any indication of the real velocity of the air. A similar result was shown last year in Mr. Coxwell's rapid journey from Winchester (seventy miles in sixty-five minutes); whilst the anemometer registered at Greenwich fourteen miles only; and on every occasion on which the actual motion of the air has been measured by the balloon it has been a multiple of that determined by instruments. The difference between the two is so large that it seems scarcely to be accounted for by the undulatory motion of the earth's surface, and implies that our hitherto estimated velocities of the air are erroneous.

"Shortly after we left, the sky was overcast, mostly with cirro-stratus clouds of such density that at times there were faint gleams

of light from the sun; but, for the most part, the sun's place was only just discernible, and for some time before sunset there was no trace whatever of the sun.

"These clouds, when viewed from a height exceeding 6000 feet, seemed then to be as far above as they did when viewed from the earth; they must have been four miles high at least. The atmosphere was thick and misty, very distant objects were invisible, and the earth not being lighted up by the sun at all, was dull.

"The fact of clouds reaching to four miles high, where the temperature of the dew point must be some degrees below zero, as on the preceding ascent, implying the presence of very little water; yet, there was enough in both cases not only to be just visible, but to exclude every thing beyond them. This fact is important, and indicates that our theory of vapour will have to be reconsidered.

"In this ascent we were favoured with the company of Frederick Norris, Esq., of the Conservative Club, and Lieutenant H. Turner, of the Rifle Brigade.

"The place of descent was Goodwood Park, the seat of the Duke of Richmond; and our best thanks are due to Captain Valentine for the assistance he kindly gave us in every thing, not only in having my instruments properly taken care of, packing up the balloon, &c., but also for his kind hospitality."

— PUBLIC SCHOOLS' CRICKET MATCH.—Lord's cricket-ground was the scene of a very animated contest between the schools of Eton and Harrow. The attendance of visitors in carriages and on foot was numerous beyond all precedent, and a most lively interest was manifested in the varying fortunes of the rival players by their friends and schoolfellows. In the first innings Harrow gained a considerable advantage, but the second innings of Eton was so successful as to give their partisans sanguine hopes of a triumph. Unfortunately, however, the match could not be played out for want of time, the Eton players having kept up their innings till after seven on the second, which is necessarily the last, day of the match. The result was such as to leave it quite an open question to which side the victory would have fallen. The score was as follows:—

|  |     | ETON.                        |     |
|--|-----|------------------------------|-----|
| First Innings.                               |     | Second Innings.              |     |
| Mr. E. W. Tritton, run out                   | 91  | c. Grimston, b. Richardson   | 58  |
| Mr. A. Pepys, c. Hornby, b. Richardson       | 1   | b. Phipps                    | 28  |
| Mr. Frederick, b. Phipp                      | 32  | b. Buller                    | 30  |
| Mr. W. S. Prideaux, b. Maitland              | 3   | run out                      | 5   |
| Mr. A. Lubbock, c. Walker, b. Maitland       | 0   | c. Hewlet, b. Buller         | 80  |
| Hon. N. Lyttelton, c. Richardson, b. Burnett | 0   | b. Buller                    | 26  |
| Mr. H. B. Sutherland, b. Maitland            | 4   | b. Buller                    | 5   |
| Hon. F. Pelham, b. Burnett                   | 9   | run out                      | 16  |
| Hon. S. Lyttelton, c. Walker, b. Burnett     | 14  | b. Buller                    | 10  |
| Mr. A. Teape, c. Phipps, b. Maitland         | 6   | not out                      | 3   |
| Mr. E. B. Bovill, not out                    | 7   | c. Richardson, b. Buller     | 2   |
| B. 7, l.-b. 4, w. 5, n.-b. 1                 | 17  | B. 3, l.-b 2, w. 13, n.-b. 4 | 22  |
| Total  | 184 | Total                        | 285 |



## HARROW.

## First Innings.

|   |    |
|---|----|
| Mr. C. L. Hornby, l. b. w. b. Sutherland . . . .        | 68 |
| Mr. W. E. Mirehouse, c. Lyttelton, b. Pelham . . . .    | 7  |
| Mr. W. E. Grimston, c. N. Lyttelton, b. Lubbock . . . . | 37 |
| Mr. C. F. Buller, b. S. Lyttelton . . . .               | 34 |
| Mr. W. F. Maitland, b. S. Lyttelton . . . .             | 23 |
| Mr. M. H. Stow, run out . . . .                         | 3  |
| Mr. E. W. Burnett, b. Frederick . . . .                 | 20 |
| Mr. I. D. Walker, not out . . . .                       | 16 |
| Mr. H. G. Phipps, b. Frederick . . . .                  | 3  |
| Mr. W. Richardson, b. S. Lyttelton . . . .              | 0  |
| Mr. W. O. Hewlett, b. S. Lyttelton . . . .              | 1  |
| b. 20, l.-b. 11, w. 24, n.-b 1. . . .                   | 56 |

Total . . 268

Umpires—Nixon and Fennell.

— **SERIOUS ACCIDENT TO SIR CRESSWELL CRESSWELL.**—As Lord Aveland's carriage was driving up Constitution-hill the axletree broke. The horses, becoming unmanageable, rushed forward, dragging after them the forepart of the carriage, and struck Sir Cresswell Cresswell, who was riding in front of the carriage, with such force as to knock his horse completely over. Sir Cresswell fortunately escaped with merely a fracture of the kneecap and a severe shaking. He was picked up by Sir Thomas Freemantle, who was passing at the time, and conveyed at his own desire to St. George's Hospital, where his injuries were attended to, and afterwards was removed to his residence at Prince's-gate. This accident, though its effects seemed for a time to be not of a very serious kind, and though it was believed that medical skill and care would speedily restore the learned Judge to health, was probably one of the causes that contributed to his lamented death, which took place, as will be seen by our obituary notice, not long afterwards.

**17. FEARFUL ENCOUNTER IN A RAILWAY CARRIAGE.**—A murderous assault was made in a railway carriage on the London and North-Western line by Mr. Michael Lyons, National School teacher, of Bampark, Ballymascallan, near Dundalk, upon two fellow-passengers. The assailant had taken a return excursion ticket for a month from Ireland to London. As the 9.15 express train was about to start from Liverpool to London, he, Mr. Peter M'Lean, and Mr. James Worland, of Plaistow, Essex, entered a second-class carriage, in which there was previously an elderly lady. After the train had started, the prisoner, who had a large carpet bag, placed himself close by the window. He was heard to say something incoherently, but almost in a menacing sort of way. Mr. Worland and Mr. M'Lean, who were conversing, looked towards him, as did also the lady, who was seated near the window on the opposite side of the carriage. The prisoner, however, sat down quietly, and continued so until after the train had passed the Bletchley station. Then he suddenly jumped up from his seat, and, with a large open claspknife in his hand, rushed at

Mr. Worland, and stabbed him in the forehead, causing a most frightful wound. He was in the act of striking another blow, when Mr. M'Lean knocked him back on to the seat. This had the effect of infuriating him the more. He started to his feet, and was about to strike another blow at Mr. Worland, when Mr. M'Lean seized him by the throat, and clutched the knife in his right hand. A fearful struggle ensued, and the prisoner drew the weapon through his antagonist's hand, cutting some of the fingers to the bone. Mr. Worland, who all this time had not been idle, although shockingly wounded, and weak from loss of blood, managed to get behind the prisoner and throw him down. The lady in the compartment, after screaming for assistance for some time, fainted away. The struggle must have been a desperate one, for the prisoner, who was shouting loudly, endeavoured to rise and shake the two gentlemen off, at the same time striking and stabbing both of them. Fortunately the oil lamp in the carriage was alight, and this enabled Mr. Worland and Mr. M'Lean to wrest the knife out of the prisoner's hand, and to keep him down till they arrived at Camden-town station. When the ticket-collector entered the carriage he saw the wounded men covered with blood holding the prisoner. The sides, doors, windows, floors, and every place in the carriage were covered with blood and finger-marks. Prisoner was at once conveyed to the station, where he made a statement to the effect that he believed the two gentlemen who were with him to be thieves, who intended to rob him. He saw them talking to one another, and making motions towards him, and he thought he could not do better than defend himself, if only for his dear little ones at home. Mr. M'Lean's hand was frightfully cut, and he was also seriously injured in other parts of the body. Mr. Worland was dangerously wounded. The prisoner was taken before Mr. Lowndes, one of the magistrates at Bletchley, and remanded on the deposition of Mr. M'Lean. He volunteered no statement in reply to the charge, and was then taken to the county gaol. On searching the prisoner's carpet bag a prize medal was found awarded to him by the Society of Arts, besides various books and papers, and he stated that he came up from Dundalk to be examined as a schoolmaster at the forthcoming examination at Burlington House. He is supposed to be insane. The next day Mr. Worland was so far convalescent as to be able to proceed to his residence at Victoria Dock-road. It may be mentioned that the train, being an express train, does not stop at the intermediate stations between Bletchley Junction and Camden, a distance of between forty and fifty miles, and there being no means of communication between the passengers and guards, information of the occurrence could only be made known on the arrival of the train at Camden station.

— TRIAL FOR LIBEL.—A very remarkable libel case was tried at Nenagh before Baron Hughes and a special jury. The action was brought by Mr. Spring Rice, to recover damages for an alleged

libel published in the "Limerick Reporter" by the Rev. Thomas Ryan, P.P. It appeared in the form of a letter signed "One of the People." It stated that an investigation had been held at Mr. Rice's house, when the following astounding particulars came out:—A threatening letter had been found on his premises warning him to prepare for death in consequence of evicting a family. He sent for the police, and seemed greatly alarmed. But it was stated in the libel that the letter was written to Mr. Rice, at his own instigation, by Bridget Dunne, his parlour-maid. It was to repel this foul charge the action was brought. The maid was produced on the trial, and deposed that she did write the letter under her master's direction, as stated in the libel, and also a letter to herself, as if from a lover in Kilkee. The latter was intended to corroborate a statement which he desired her to make—that she wrote the first in the hope of frightening the family back to Kilkee. Mr. Rice was examined, and positively contradicted her evidence. He was corroborated by Mrs. Rice.

Baron Hughes charged the jury to the following effect:—

"The Rev. Mr. Ryan had undertaken to satisfy twelve gentlemen upon their oaths that the charge he preferred against Mr. Spring Rice, by his letter of the 19th of July, 1862, was true. What evidence had been given to establish his justification? None, in point of fact, with one exception; and yet they were asked by defendant's counsel to affirm the truth of the charges made against Mr. Rice upon the sole evidence of Bridget Dunne. Her own counsel were obliged to admit that she was a clever and an artful girl. She was admittedly the author and composer of those documents, which the jury could take into their box and most carefully consider. The first was a threatening letter, the second a love-letter, purporting to have been written from Kilkee, and the third a confession. It would be the duty of the jury to look into the contents of these documents, and consider the dissimilarity of the handwriting in the love-letter from the other papers written by this girl. They would form their own opinion of her capacity, and say, from what had taken place, and from the demeanour of the witnesses who had been examined during the trial, where the truth lay. His Lordship added, in reference to the question of damages, that while the jury would take into account the serious nature of the libel, they would also bear in mind that the defendant was only a parish priest, and the incomes of parish priests were unusually small."

The jury returned a verdict for the plaintiff, with 20*l.* damages, and 6*d.* costs.

— SHOOTING AT AN IRISH MAGISTRATE.—At the same assizes Philip Hayes was tried before Mr. Justice O'Brien for shooting at Mr. Gore Jones, with intent to murder him, on the 2nd of January, 1863. Mr. Jones, who is a resident magistrate of long standing, detailed the circumstances of the case, and identified the prisoner as one of two men whom he saw behind a ditch when a gun was

fired at him while riding along the road from Thurles. He immediately pulled up and said, "You scoundrels! I know you, and I'll make you pay for this." The men then ran away through the fields, and he rode after them through a lane, which ended in a bog. He was obliged to return, and they escaped. Two holes, as if made by a bullet, were visible in the loose Inverness cape which he wore at the time. The witness was severely cross-examined by Mr. Curtis. Other evidence having been given, the jury retired. They were locked up all night, and discharged the next day, not being able to agree to a verdict.

18. WIMBLEDON PRIZE MEETING.—The great annual rifle meeting, which commenced on the 6th of July, terminated with great *éclat* in a grand Volunteer Review by H.R.H. the Commander-in-Chief, on the 18th. The weather during the fortnight was most propitious, the shooting very good, and the presence of the Prince and Princess of Wales during a part of the time added great interest to the meeting. The regular work of the meeting began on the 7th, when a match between Lancashire, Gloucester, and Middlesex was played, at 600 and 800 yards. The contest was carried on with great spirit, with the following result:—Lancashire made 636 points; Gloucestershire 566; and Middlesex 565: Liverpool and Bristol thus beating London. The competition between Cambridge and Oxford for the National Rifle Association bronze medal resulted in victory to the former, Cambridge scoring 310 (of which 74 points were won by Captain E. Ross), and Oxford 286. The sharp crack of Enfield and small-bore was unremitting from 1.30 p.m. until the darkness of the evening had so far advanced as to make good shooting difficult. The running deer, sighting, and pool targets were steadily patronized.

The Public Schools' competition for the Ashburton challenge shield caused great excitement, and a large number of the "upper ten thousand" witnessed the match. There were eleven representatives of each of the following schools:—Eton, Rugby, Cheltenham, Winchester, Harrow, and Marlborough. The ranges were 200 and 600 yards, five shots at each distance. Eton won the Ashburton challenge shield; and Mr. Deedes, of Winchester, Earl Spencer's cup, value 20*l*., which was competed for by the best eleven from each school. This prize was won last year and the year before by Eton. Harrow was the winner of the Ashburton challenge shield for two previous years. The Winchester College corps is only composed of forty members. The following is the total number of marks obtained by each of the schools:—Eton, 246; Rugby, 230; Marlborough, 224; Harrow, 229; Cheltenham, 193; and Winchester, 223. The winners on both sides were hoisted and carried by their comrades round the ground. In shooting for the association prize, Captain Heaton, Adjutant of the 3rd Manchester Rifles, made seven bulls'-eyes, out of seven shots at 200 yards, and in firing for Lord Vernon's prize made three cartons at an 8-inch bull's-eye at 600 yards out



of ten shots. For the extra series of prizes Mr. H. G. Ross, at 800 yards, made five bulls'-eyes and two centres. Captain Field, of the Hon. Artillery Company, won the Middlesex bronze medal. Among the events of the day were the shooting for the House of Lords' prize, first stage, and the Queen's prize, first stage. During the first two days, five of the markers were hurt—one of them seriously, the sight of an eye being destroyed—by the fragments of the balls recoiling from the target, and the Duke of Cambridge forthwith issued some stringent regulations for the government of the competitors, which were strictly enforced.

On the 9th the shooting for the Queen's prize was continued, as also the competition for the Lords' and extra prizes. As regards the question of marking, General Hay and Colonel Steele, of the Coldstream Guards, which corps had hitherto attended the butts, issued a notice at noon that they could not undertake the responsibility of allowing the men to continue to mark by the disc system. Lord Elcho having called upon the members of the Victoria corps, who were encamped on the ground, to act as markers, they and several other corps came forward. No accidents took place this day. Lord Elcho and Lord Ducie marked at one of the disc butts all the afternoon, to assure themselves of their safety. The accidents were attributed to the Guardsmen not being sufficiently cautious, and to the butts being rather too close together.

The weather was very hot the next day, but the haze was not favourable for shooting. Probably owing to this cause, the average of the shooting was not so high as was anticipated, though one or two remarkable scores were made. The first stage of the Queen's prize was concluded.

On the 11th, the Prince of Wales's prize, value 100*l.*, was won by Private A. Rumball, 3rd Herts, who made a total score of 58 marks in seventeen shots at the 200, 500, and 600 yard ranges. The St. George's challenge cup, value 250*l.*, presented for annual competition to the volunteer battalions of Great Britain by Lieutenant-Colonel the Hon. C. H. Lindsay, on behalf of the members of the St. George's Rifles, was won by Private Jopling, of the South Middlesex corps, who was the winner of the Queen's prize the year before last. In addition to the honour of holding the vase on behalf of the corps for the term of one year, he was entitled to 5*l.* and the gold jewel of St. George. The winner scored 32, five others being only one behind him. The ties of the first stage Queen's prize were shot off, and the first thirty of the successful competitors won a Whitworth rifle and 5*l.* each, and the remaining thirty 5*l.* each. The Whitworths were distributed to the competitors for the Queen's prize, and Lord Ducie instructed them in the details of that weapon at the sighting target. Captain Herbert, of the Coldstream Guards, made the following score at the running deer:—For fifty shots he made eight bulls'-eyes—two consecutive—twenty-six centres, ten outers, and six misses. Up to the end of

the week, nearly 80,000 rounds had been sold at 6*d.* per ten rounds; and the consumption of spirits was also large, the "sack" bearing an undue proportion to the "bread," as might be expected in the dog-days. Amongst the bye amusements the sweepstakes were very popular, including shooting at the deer, the volunteer, and the soldier, all running.

On the Sunday-morning the volunteers, Guardsmen, police, and others in camp at Wimbledon, paraded at half-past ten o'clock, and marched to the grand stand for Divine service. A temporary pulpit, covered with the union jack, was erected facing the stand, and the Rev. T. Hanly Ball, Lecturer of St. Mary's, Wimbledon, officiated as chaplain. The brass band of the G division of police took part in those portions of the service admitting musical accessories. The Guards were ranged in one compartment of the stand, the volunteers, camp attendants, &c., in the centre, and the police on the left. Lord and Lady Ann Elcho, Colonels Luard and Bewes, Captain Ruxton, and others, were present.

The Prince and Princess of Wales visited the shooting-ground at Wimbledon on the 13th, and watched for a time the match between eleven members of the House of Lords and eleven of the House of Commons. The Peers were defeated, the Commons scoring 460 points against their 423. In the contest between Cambridge and Oxford, the former won. The Alexandra prize, a cup, value 50*l.*, or money, at the option of the winner, was shot for in seven shots at the 600 yards' range by thirty winners of the Enfield all comers' prize, 200 yards; and thirty of 500 and 600 yards. Private Mackenzie, of the 15th Middlesex, became the winner, making a total score of 22 points. The other shooting of the day resulted in the winning of some of the lesser prizes, whilst progress was made in some of the greater matches. The ties for the secondary prizes in connexion with the St. George's challenge vase and the entire competition terminated as follows:—Private Jopling (South Middlesex), the challenge vase and gold jewel; Private Johnson (2nd Stafford), silver jewel; Sergeant Robinson (7th Middlesex), bronze cross; Corporal Croucher (6th Tower Hamlets), photograph of vase. A good deal of amusement was caused by Lord Elcho being disqualified from shooting for any of the general prizes because in firing he hit the wrong target.

The grand event on the 14th was the shooting for the second stage for the Queen's prize. This commenced punctually at gun-fire in the morning: the men being divided into four squads at the long ranges on the north side of the common. It was soon manifest, from the practice at the first range of 800 yards, that much better shooting would be made than had been the case in the previous year. Men rolled off bulls'-eyes and centres as quickly as a picked squad would have done with Enfield rifles at 500. The weather was less unfavourable than on the day the 600 yards was shot. The competitors continued firing all day, exciting very

little attention until the evening drew on. Then a few distinguished visitors strolled up to the firing-points, which by this time were pretty well surrounded by interested riflemen and friends of the men. General Hay watched with interest the rapid progress which his pupils were making in the use of his favourite weapon. Lord Elcho, Lord Grosvenor, and Lord Radstock saw the last few rounds fired, and waited until the momentous question was decided. The victor, Sergeant Roberts, of the 12th Shropshire Volunteers, finished a splendid score of 65 marks, or three over an average of centres, in the first squad that had concluded firing. So high a score was at once looked upon as certain to gain the prize; but, as another squad drew towards a close, Sergeant Graham stood at 61 with a shot to go. The excitement became considerable when he knelt down, as it was believed that if he got a bull's-eye he would win, though tying in marks, from occupying a higher place in the sixty. This point, however, was soon decided by his failing to score the required number, thus leaving Roberts the undisputed winner of what so many have coveted and keenly contested. Mr. Roberts's marks at the different ranges were:—

| 800 Yards.       | 900 Yards.       | 1000 Yards.      | Total. |
|------------------|------------------|------------------|--------|
| 4 4 4 3 3 3 2—23 | 4 4 4 3 3 4 4—26 | 2 3 0 2 4 3 2—16 | 65     |

The next highest score, that of Sergeant Graham, 2nd Wilts, was as follows:—

| 800 Yards.       | 900 Yards.       | 1000 Yards.      | Total. |
|------------------|------------------|------------------|--------|
| 4 3 2 4 4 3 4—24 | 4 2 4 3 4 4 3—24 | 2 3 0 2 3 3 3—16 | 64     |

The shooting on the 15th was excellent, particularly that for the Albert prize, consisting of a cup, value 100*l.*, or 100*l.* in money. The competitors for this prize were confined to the winners of the sixty all comers' prizes, who had nearly all been compelled to shoot off ties at unusually high figures. The winner of the Albert prize was Mr. Martin Smith (Victorias), whose shooting at the 1000 yards' range was as nearly perfection as it is possible for shooting to be. Beginning with an outer, he steadily improved at each shot, drawing the three centres, which he next obtained, gradually nearer and nearer the bull's-eye, in which he planted the remaining three out of seven shots. He won with 73 points, eight more than the number made by the winner of the Queen's. The following is Sergeant M. Smith's score:—

| 800 Yards.       | 900 Yards.       | 1000 Yards.      | Total. |
|------------------|------------------|------------------|--------|
| 3 3 2 4 4 4 4—24 | 4 4 3 4 4 4 3—26 | 2 3 3 3 4 4 4—23 | 73     |

The next best score was that of Ensign Brazill, 61st Lancashire:—

| 800 Yards.       | 900 Yards.       | 1000 Yards.      | Total. |
|------------------|------------------|------------------|--------|
| 3 2 4 4 4 4 4—25 | 4 3 3 4 4 3 3—24 | 4 3 4 3 2 3 2—21 | 70     |

The excellence of all the shooting at Wimbledon, that of losers as well as that of winners, has never been surpassed. Last year,

when the new mode of marking was adopted, Mr. Pixley carried off the Queen's prize. He made 43 up to 600 yards, and 44 up to 1000 yards—giving a total of 87. This year Sergeant Roberts scored 40 in the first stage, and 65 in the second—giving a total of 105. Last year the lowest score of the forty who were to compete in the second stage was 37; this year the lowest score of the sixty who competed was 40. Again, in shooting through the final ranges, that is from 800 to 1000 yards, last year the lowest score of the forty was 19; this year the lowest score of the sixty competitors was 36. Last year thirteen men out of forty retired from the contest; this year sixteen out of sixty retired. It will be seen that the shooting of the present year surpasses that of last in every respect. In the match between the Lords and Commons the same improvement is visible. Last year the Lords scored 411, and the Commons 349; this year the Commons scored 460, and the Lords 423. Lord Wharnccliffe made 47 last year, the highest score in his squad; this year he made 51—the utmost he could have made was 56—and he is still in a majority of one over Lord Bury and Earl Ducie. This year the Commons made only six misses, last year twenty-six; this year the Lords made twenty misses, last year they made eighteen. These facts show that, even allowing for fine weather, there has been during the past twelvemonth a great improvement in shooting, both with the Enfield and the small-bore.

The following report by the Duke of Cambridge to the War-office as to the review at Wimbledon was published:—

“Horse Guards, July 24.

“My Lord,—Having reviewed the Volunteer corps of the metropolis and its neighbourhood at Wimbledon on Saturday last, the 18th inst., I have pleasure in stating that I was well satisfied with the general efficiency of the corps then assembled, and with the drill of the battalions.

“I directed the force on the ground to be divided into two corps—the one, the attacking body, under Lieutenant-General the Hon. Sir James Yorke Scarlett, who was assisted by Major-General Taylor and Brigadier-General Bates in charge of divisions; the other, the defending body, under Major-General Lord Frederick Paulet. The former force was composed of five brigades, commanded respectively by the senior officers of Volunteers on the ground, Lord Colville, Lord Ranelagh, Lord Grosvenor, Lord Bury, and Lieutenant-Colonel Bigge; the latter of three brigades, commanded by Lord Elcho, Lord Radstock, and Lieutenant-Colonel Brewster.

“The attacking force was posted in the hollow ground at the western extremity of the common towards Combe; the defenders took up a position near the furthest firing-butts. Having been attacked in front by the brigades under Brigadier-General Bates,



the force under Lord Frederick Paulet retired behind the ravine, taking up a fresh position. Sir J. Scarlett then brought forward his right wing, under Major-General Taylor, throwing forward two brigades as a flank movement. Upon this Lord F. Paulet's three brigades changed front, throwing back their left, and posted themselves across the common with their backs to the Grand Stand. Sir J. Scarlett moved his three brigades to the right, forming with them a second or supporting line to the two brigades which had made the flank movement from the right. At the end of the field day the whole of the troops marched past in quarter-distance columns before returning to their respective quarters.

"I was much satisfied with the excellent fire maintained by the battalions in line, and I thought that the men showed great aptitude in skirmishing. The artillery was efficiently handled, and the heavy batteries seemed to move with considerable facility. I was also much satisfied with the efficiency of the two horse artillery guns, and the field battery belonging to the Hon. Artillery Company.

"I think it would be desirable upon future occasions to impress upon the several corps the necessity for greater punctuality in the time of reaching the drill ground. The hour specified for the commencement of the evolutions was 5.30; but it was 6.45 before it was possible to commence operations, very few of the corps having reached their destination before that hour. The delay and inconvenience caused by this want of punctuality was very great.

"In conclusion, I can only express my satisfaction at the zeal with which all on the ground carried out the instructions they received; and I have a firm conviction that the Volunteer force is now becoming a very efficient body of men, and valuable as a great auxiliary to the regular army of the country.

"I am, my Lord, &c. &c.,

"GEORGE.

"The Right Hon. Earl De Grey and Ripon; &c."

Earl Grey replied as follows:—

"War-office, July 28.

"Sir,—I have the honour to acknowledge the receipt of your Royal Highness's letter of the 24th inst., and to express, in reply, the pleasure which I have experienced in learning that your Royal Highness was well satisfied with the general efficiency of the Volunteer corps assembled on the occasion of the review at Wimbledon on the 18th inst.

"I have the honour to be, Sir,

"Your Royal Highness's obedient servant,

"DE GREY AND RIPON.

"His Royal Highness the Field-Marshal Commanding  
in Chief, &c."

20. MELANCHOLY BOAT ACCIDENT.—An accident attended with melancholy consequences took place on Carlingford Lough. A party of six, consisting of two ladies and four gentlemen, started in the morning from Newry for Carlingford in a gig. The boat was rather light in make, but the party arrived safely at their destination, and started again for their home about three o'clock. The wind was blowing sharp at the time, and at a place called "The Pool" the waves broke over the gig, and gradually filled it. Surrounded by high waves, the water from which was every moment pressing them on to their danger, the gentlemen in the boat loudly called for help, and the terror of the unfortunate ladies was agonizing, while little, if any, assistance could be afforded. The cries of distress at length reached land, not, however, before the gig had cast its occupants into the water. A man named M'Kevitt, who was working a short distance from the shore, on the mountain side, heard the cries from the Lough, and he at once hurried to the shore, where he found several boatmen, who speedily launched a boat and hastened off to the rescue of the now drowning party. On reaching the scene of the accident the boatmen found that already the two ladies and the younger of the gentlemen had sunk exhausted into a watery grave. The names of the party were as follow:—Two Misses Rowley, Tandragee; Mr. Rowley, jun.; Mr. M'Carthy, Dublin; Master Isaac Towers Glenny and Master Francis Glenny, both of Newry. On searching closely, the boatmen found still clinging to the sides of the gig, keel uppermost, Mr. Rowley, Mr. M'Carthy, and Mr. Francis Glenny. All three were in a very exhausted state, especially the two latter, who could not have battled on many minutes longer. The boatmen conveyed the rescued persons to shore, and Dr. Nugent, of Carlingford, and Dr. Crawford, of Warrenpoint, were as soon as possible in attendance. The three young gentlemen were after some time restored. As soon as intelligence of the accident reached Warrenpoint, a deep gloom was cast over the entire neighbourhood. Boats were despatched from all quarters to the scene of the accident, and were engaged for two days in searching for the bodies, but without success.

— SHOCKING DEATH OF A FEMALE PERFORMER ON THE TIGHT-ROPE.—Aston-park, a short distance from Birmingham, was the scene of a sad occurrence. A woman, calling herself the "Female Blondin," fell from a rope suspended thirty yards above the greensward, and was killed on the spot, death being instantaneous. The poor creature had been engaged to go through her perilous performance on the occasion of a fête held in the park, in aid of the funds of the Order of Foresters, and there were many thousands of persons present. She made her appearance a little before seven o'clock, having been advertised as "the only real and legitimate performer of Blondin's great feats, walking the rope shackled in chains, feet in baskets, blindfolded, enveloped in a sack, &c." The rope on which the performance was to take place is said to

have been so worn and decayed that one of the officials at the hall described it as "a rope on which he would not allow a dog to go." This frail cord was about thirty yards in length, was suspended between two trees at the altitude described, and fastened round the trunk of each tree. One extremity of the rope was carried over a trestle, on which was a resting-place for the performer; midway between this and the tree to which the other end of the rope was attached another trestle was placed. Both ends of the rope (which seemed to be about an inch and a half in diameter) were secured by others fixed to stakes driven firmly into the ground. This work was done under the superintendence of the woman's husband. All the preliminaries having been arranged, the performer ascended the landing-place amid the cheers of the crowd; she was attended by her husband, who gave her the balancing-pole and chalked her boots. The band struck up a lively air, and as it did so Madame Geneive stepped cautiously, and apparently with some degree of hesitation, on the rope. She walked about half its length, knelt and stood upon one leg, then returned to her resting-place. At this point her husband stepped forward and attached a couple of steel chains to his wife's ankles and wrists. Again the poor creature moved forward, evidently in no spirit of confidence, but she walked slowly along the entire length of the rope, reaching the opposite resting-place in safety. An attendant approached and removed the chains, at the same time placing a bag over her head, with an additional blindfold. In this condition the woman again moved on the rope; she held the balancing-pole in her hands, and cautiously put her foot to feel her way; she had trodden but three faltering steps, when the rope collapsed, the platform on which the attendant was standing fell back, and the poor woman was dashed to the ground. Her death was instantaneous. Surgical aid was at hand, but it was of no avail. At the moment of this shocking occurrence, and actual spectators of it, there were many thousands of persons from Birmingham and the black country, and so little effect did it produce that the fête was continued, terminating with a display of fireworks at midnight; the Foresters' Committee, who had the conduct of the proceedings, having at a meeting after the accident determined "to go on with the programme, omitting the dangerous parts." The scene of this disaster was that very Aston-park which Her Majesty had opened as a "People's Park" five years ago.

An inquest upon the remains of the unfortunate woman was held before Mr. W. S. Poole, the district coroner. Mr. Charles Porter, the surgeon who made the *post-mortem* examination, gave evidence to the effect that he found that the deceased had sustained a fracture of the skull; the first rib was broken, and had penetrated the lung; other ribs on both sides were broken; the liver was ruptured, and there was a fracture of the hip-bone. The deceased was eight months advanced in pregnancy, and in the

witness's opinion the child was dead before the woman left her home on the morning of the accident; he thought she must have been aware of her perilous situation before she ascended the rope. To have fallen from a rope only one foot from the ground would have been dangerous to her. A witness named Allan swore to the fact of his having assisted in tightening the rope and affixing the balance weights. This was at four o'clock. After they had hung six or seven balances, and were preparing the remainder, the first six fell to the ground, the rope having broken completely through about two yards from one of the trees. The rope was then put up without the piece that was broken off; the deceased was informed of the circumstance, and appeared to be perfectly satisfied. The rope was not spliced. Powell, the husband of the deceased, said that he purchased the rope from a man named Venn, in Tooley-street, London; it had been in use two years in March last; he had no reason to suppose that it was in a bad condition. As to the amount of 15*l.* he was to receive for his wife's performance, they might value it at about 8*l.* or 9*l.*, the rest being absorbed in expenses. After the examination of one or two other witnesses, the jury, after half an hour's deliberation, returned the following verdict:—"Accidental Death. The jury wish to express their opinion that parties are greatly to blame who engage people for performances which are dangerous to life for the amusement of the public, and that all dangerous and degrading performances by either sex should be discouraged."

The following letter, written by command of the Queen, by Sir C. B. Phipps, in reference to this shocking catastrophe, was received by Mr. C. Sturge, the Mayor of Birmingham, a few days after the occurrence:—

"Osborne, July 25, 1863.

"Sir,—The Queen has commanded me to express to you the pain with which Her Majesty has read the account of a fatal accident which has occurred during a fête at Aston-park, Birmingham.

"Her Majesty cannot refrain from making known through you her personal feelings of horror that one of her subjects—a female—should have been sacrificed to the gratification of the demoralizing taste, unfortunately prevalent, for exhibitions attended with the greatest danger to the performers.

"Were any proof wanting that such exhibitions are demoralizing, I am commanded to remark that it would be at once found in the decision arrived at to continue the festivities, the hilarity, and the sports of the occasion after an event so melancholy.

"The Queen trusts that you, in common with the rest of the townspeople of Birmingham, will use your influence to prevent in future the degradation to such exhibitions of the Park which was gladly opened by Her Majesty and the beloved Prince Consort, in



the hope that it would be made serviceable for the healthy exercise and rational recreation of the people.

“I have the honour to be, Sir,

“Your most obedient humble servant,

“C. B. PHIPPS.

“The Mayor of Birmingham.”

The following was written in answer to Sir C. Phipps's letter by the Mayor:—

“Borough of Birmingham, Mayor's-office,  
July 28, 1863.

“Sir,—I have the honour to acknowledge the receipt of your letter of the 25th inst., written by command of Her Majesty the Queen.

“In the first place, I beg you will convey to Her Majesty my humble assurance that there is not in the kingdom an individual who laments more sincerely than myself not only the melancholy accident to which you refer, but the depraved taste for a barbarous species of amusement which unhappily has become popular, not only in the metropolis, but in all parts of Her Majesty's home dominions. It is only a short time since, and during my Mayoralty, that it was proposed to exhibit a similar performance within the borough; but, though I was not empowered by law to interfere, I ventured so far to interpose my authority as to prevent it. In this unfortunate instance my name appeared in conjunction with those of the Lord-Lieutenant and several magistrates and members of Parliament, as patrons of the fête, which was for a charitable purpose; but I believe not a single gentleman whose name so appeared had any idea that a dangerous exhibition would be attempted. For the future I have every reason to hope that, notwithstanding Aston-park is beyond the jurisdiction of the authorities at Birmingham, their influence and that of their fellow-townsmen will henceforth limit its use exclusively to the healthy exercise and rational recreation of the people, so that the gracious intentions of Her Majesty and her revered Consort may not be frustrated, but realized.

“In the mean time, I trust that exhibitions of so dangerous and demoralizing a character may be interdicted by Parliamentary enactment.

“I have the honour to be, Sir,

“Your obedient servant,

“CHARLES STURGE, Mayor.

“Colonel the Hon. Sir Charles B. Phipps,  
&c., Osborne.”

## AUGUST.

3. RAILWAY ACCIDENT.—A shocking accident happened on the new Lynn and Hunstanton Railway.

An excursion train left Hunstanton for Lynn and Wisbeach at about eight o'clock, consisting of fifteen well-filled carriages.

When the train had passed Wootton station about half a mile, and was within about two miles of Lynn, it ran upon a bullock which had got upon the line.

The first carriage, which was a first-class carriage, and the two next went at once off the line, and after being dragged upwards of one hundred yards, they upset. The first-class carriage went completely over, and lay with its wheels upwards, but, singular to say, its occupants—three or four gentlemen, and one, if not more ladies—escaped unhurt. The occupants of the next carriage were not so fortunate. They were third-class carriages, and one of them was smashed utterly to pieces. In this carriage were some who lost their lives; but in this carriage also, there were many who escaped with a shaking. The train was quickly pulled up, and the passengers who were unhurt got out, and instant exertions were made to ascertain the extent of the damage. Sad to say, five persons were found to be killed, and numerous others wounded, four or five severely, and at least twenty others slightly. The engine proceeded to Lynn to procure assistance, and several medical gentlemen went at once to the spot. Every attention was paid to the injured, and the dead were separated from the ruins. They were found to be five in number, and some of them so frightfully mutilated as to defy recognition for a time. The killed were Mr. John Laird, builder, Lynn; Mrs. Clarke, wife of Mr. Clarke, of Brandon; a Miss Clarke, aged seventy-three, of Guanock-terrace, Lynn; Miss Palmer, of Walpole, near Wisbeach, aged about twenty-five; and Mrs. Brown, wife of Mr. W. Brown, builder and stonemason, of Lynn. Those seriously hurt were Mrs. Laird, wife of the deceased Mr. Laird, who received severe contusions on the head; Mr. Dennis, shipowner, of Lynn, who had his thigh broken and his legs otherwise injured; a young woman named Eliza Bartle, who was so severely wounded in the foot as to render amputation necessary; and a woman named Ann Jickling, who was also severely injured in the ankle. A great portion of the passengers walked home to Lynn, but others remained until the engine returned and the train bringing the injured came to Lynn. Mr. Dennis died on the following morning.

An inquest was held at the Ship Inn, Gaywood, by Mr. Thomas

Martin Wilkin, coroner, upon the bodies of John Laird, Susan Clarke, Elizabeth Clarke, Maria Palmer, and Mrs. Brown.

After a protracted and searching inquiry, the jury found a verdict of "Accidental death of five persons caused by a bullock straying on the line through gross negligence of the authorities of the Great Eastern Railway and their officers—first, by not putting the fences into a state of safety; secondly, by not putting the bullock off the line where the accident occurred; thirdly, by the disgraceful state of the carriages used for the conveyance of the unfortunate persons. The jury also consider the Government Inspector deserving censure for passing a line so inadequately fenced."

— VISIT OF THE PRINCE OF WALES TO HALIFAX.—The anticipated brilliancy of the Prince's visit to Halifax to open the new Town Hall, which had recently been built in that town, was greatly diminished by two very unfortunate circumstances—first, the inability of the Princess, from temporary indisposition, to accompany her royal consort; and secondly, the heavy rain which prevailed throughout the whole of the Prince's stay in the town. His Royal Highness reached Halifax by special train from London on the afternoon of the 3rd, and was received by the Mayor, Mr. John Crossley, whose guest he continued to be during the whole of his visit. Much enthusiasm was shown at the station, but not a tithe of what would certainly have been manifested had the Prince been accompanied by his young bride. After a short stay at the Mayor's, the Prince visited the carpet manufactories of Messrs. Crossley and Sons, where 4500 hands were busily engaged; the worsted mills of Messrs. Ackroyd, where even a larger number was employed; and afterwards the factory of Mr. Whiteley, where the wonderful series of most ingenious machines by which the cards for wool-combing are produced were carefully inspected. These visits were made so privately that the wide-spread crowds in all directions were for once fairly eluded, though when His Royal Highness's carriage was caught sight of, it was impossible to prevent their rushing after it pell-mell. On their return to Manor Heath, the Prince drove round and inspected the very fine Orphanage which Mr. Crossley is building, and this concluded the royal events of the day.

The next morning the Prince left the Mayor's house soon after eleven o'clock, in a procession formed by private carriages, filled by municipal officers, and visited all the chief objects of interest in the town, the rain falling mercilessly the whole time. His Royal Highness came into the enclosure of the Peace Hall soon after twelve. By that time the rain had done its worst, and had subsided to a steady drizzle. As the Prince entered, the whole assemblage unmasked themselves from their umbrellas, and rising, greeted him with one of the most hearty and prolonged cheers that have been heard among the Yorkshire hills since Halifax was built. It was in vain for the Prince to bow

his acknowledgments, as he did most deeply. The more he bowed, the more they cheered, and for two or three minutes there was such a scene of waving hats, handkerchiefs, wet umbrellas, and deafening cheering, as has seldom been seen at any welcome that royalty ever received. When quiet was at last restored, the National Anthem was sung with that wonderful power and effect which only multitudes singing can produce. During the whole time that this was sung the Prince remained, like all the rest, standing bareheaded in the rain.

It was nearly two o'clock before His Royal Highness alighted at the entrance to the Town Hall, where he was received by the Mayor and Mr. Edward Baring, the architect. In the hall itself, which was crowded with the *élite* of the county gentry, the National Anthem was sung, and a prayer having been offered up by the Bishop of Ripon, an address was read by the town clerk. To this the Prince replied in the following terms:—

“Mr. Mayor and Gentlemen,—I return you my cordial thanks for your address, and for the terms in which you have alluded to the part I am proud to take in the ceremony of inaugurating your Town Hall, in which I see so much to admire, whether in regard to the design, the execution, or the mode in which its cost is met. Indeed, the general prosperity of your town, the industry which, aided by the most ingenious machinery, has so long distinguished its inhabitants, and which I witnessed yesterday developed to its full extent, cannot fail to strike every visitor with wonder and admiration. I have also to thank you for the earnest wishes you have expressed for my happiness and that of the Princess. Conscious of the duties which you so impressively remind me of, I feel I cannot better perform them than by following the bright example of the Queen and my beloved father.”

This formal ceremony over, the Prince, accompanied by his suite, and followed by the Mayor, came out on to the balcony in front of the Town Hall, and in a loud, clear, ringing voice, proclaimed the hall opened, amid the most tremendous cheers from the crowd beneath. After partaking of a *déjeuner*, His Royal Highness proceeded at once to the station, and quitted Halifax by the 3.10 train.

11. THE QUEEN'S VISIT TO BELGIUM.—Her Majesty the Queen, accompanied by their Royal Highnesses Princess Helena, Prince Alfred, Prince Leopold, and Princess Beatrice, embarked on board the royal yacht “Victoria and Albert,” Captain His Serene Highness Prince Leiningen, at six o'clock, off Greenhithe, and immediately proceeded down to the Nore, where the yacht was anchored for the night.

At an early hour the next morning the anchor was weighed, and the royal yacht proceeded on her passage to Antwerp, followed by Her Majesty's ships “Osborne” and “Vivid,” and the Trinity House yacht.

At a quarter before two o'clock p.m., the royal yacht arrived off



Antwerp. Shortly afterwards the Queen, Royal Family, and suite landed, and were conveyed from the landing-place in the carriages of His Majesty the King of the Belgians to the railway station, where a special train was in waiting to convey Her Majesty.

At a quarter before four o'clock the train stopped at the station of Scharbeck, where His Majesty King Leopold, with the Duke and Duchess of Brabant, were in waiting to receive Her Majesty.

The Queen and Royal Family immediately left the train, and having got into the King's carriages, accompanied His Majesty to Laeken.

Her Majesty had a favourable passage, but suffered in some degree from the fatigue of the journey.

The ladies in attendance on the Queen also drove to Laeken. The gentlemen of the suite generally were entertained at the Palace at Brussels. His Royal Highness Prince Alfred also was lodged in the Palace at Brussels, attended by Major Cowell.

24. FATAL ACCIDENT TO AN AERONAUT.—A grand fête was held in the park of Mr. North, at Basford, near Nottingham. Amongst the other amusements it was announced that Mr. Coxwell would ascend in his balloon at six o'clock in the evening. However, from various reasons, his place was supplied by Mr. Chambers, who had previously made many ascents. The balloon was almost new, but of not very large dimensions. After it had been fully inflated, Mr. Coxwell tried it, and found there would be some difficulty in his ascending by it. Just at this time Mr. Chambers stepped forward and proffered to go up in the balloon. After some conversation, it was agreed that Mr. Chambers should go up, but Mr. Coxwell told him not to attempt an ascent unless he felt quite confident he could manage the balloon. Chambers replied that he had no fear about managing it, and accordingly he was allowed to make the ascent. The balloon rose steadily, and was carried somewhat rapidly in a north-easterly direction towards Nottingham. It proceeded as far as Arnold-vale, when it was seen suddenly to collapse whilst still at a considerable altitude, and then to fall quickly in an unshapely mass. Some young men who were near the spot where the balloon fell, hastened to render assistance. The balloon heaved and fell as it descended, completely covering the car, and ultimately both dropped in a field near Scout-lane, three miles from Nottingham. The car struck the ground and rebounded several feet, and then fell again, when it was caught hold of by the young men and stopped. At the bottom of the car lay stretched the body of the unfortunate amateur aeronaut. He was lifted out, but found to be just breathing, not quite insensible, having his handkerchief in his mouth. He was conveyed to the nearest dwelling, and all means adopted to restore animation, but without effect. Drs. Robertson and Maltby afterwards saw him, and discovered that his left thigh was fractured, and some of his ribs were broken, but they considered it very probable that the unfortunate man died through

suffocation, as the handkerchief which was found in his mouth had evidently been placed there by himself when he found himself in danger of being stifled by the gas from the collapsing balloon. The deceased was a married man, thirty-six years old, and leaves a widow and five children. His father was an aeronaut. As soon as the fate of Chambers was known, the music and amusements of the fête were stopped, and the visitors gradually dispersed.

The next day an inquest was held on the body of the deceased.

Mr. Henry Coxwell, of Tottenham, Middlesex, said he was an aeronaut. He had accepted an engagement to go up in a balloon at the Basford fête. He brought his own balloon and all the appendages. This was a new balloon, and he had not made any ascents in it himself. He intended to go up himself, and got into the car several times, but the balloon would not lift him from the ground, even without ballast. After he had tried it a third time, deceased entered the circle and spoke to him. Witness had known deceased and his father for fifteen years. Witness said, "I am in considerable difficulty. The gas is heavy and unsuited for balloon purposes, and I find that it will not raise me." He replied, "I am a lighter man than yourself; perhaps it will just take me." Witness said, "I know you have had some experience. If it will raise you with one bag of sand, and you can manage the balloon, I will accept your offer." He seemed pleased with the opportunity of making the ascent. He then got into the car of his own accord, and witness found that it would just raise him. Witness again asked him if he had full confidence to manage the balloon. He replied, "Yes." Witness then cautioned him not to go either high or far, and to go about a mile. Deceased got into the car entirely of his own free will, and without any persuasion on the part of witness. There was no agreement of money payment between them whatever. Witness knew that he had ascended many times before from Cremorne Gardens and other places. He had never ascended with him. His father had. Witness saw the balloon descending rapidly into a dark cloud, and he then sent a man after him in a cart to render assistance. About an hour afterwards he heard of the accident. As a scientific man, witness believed he could say how the accident occurred. After deceased had entered the heavy cloud, the balloon broke into sunshine or a clear atmosphere, and the gas expanded very rapidly, streaming out of the neck or safety-valve, which is always left open. Being found with the handkerchief in his mouth, it is evident that he inhaled the gas, which might have been prevented by opening the upper valve a very short distance. Witness supposed that deceased became insensible from the gas, previously clutching the valve line round his wrist and violently opening the valve. In all probability, he fell to the bottom of the car, and as the valve cord was round his wrist it kept the valve open to its full dimensions. As the balloon naturally elongated by losing the gas, the strain on the cord became greater and greater, until nearly all the gas escaped.

Had the cord not been fast to his wrist the gas could not possibly have escaped from the balloon, no tear or fracture having been found in it.

After some further evidence to the same effect, the jury returned the following verdict:—"That the deceased James Chambers ascended in a car attached to a balloon during fair weather; that he ascended in a voluntary manner and by his own free will; that through inhaling gas he became insensible and was unable to work the balloon properly, and the balloon coming into violent collision with the earth caused his death."

25. TRIAL TRIP OF THE "*AURORA*."—Since 1840-41, when the screw may be considered to have been definitely adopted in this country for both the royal and mercantile navies, there has been no incident connected with its subsequent history which has created so great a degree of interest in the minds of scientific men and the officers of both services as the introduction of the double, or "twin" screw principle, each screw worked by independent engine power.

The use of a single screw is, in fact, attended with so many dangers and difficulties, which may possibly be avoided by the use of two screws, both in the royal and mercantile marine, that it can be no matter of wonder that the subject should have acquired a degree of importance second only to the universal adoption of the screw itself in preference to the paddle. The practical introduction of the "twin" screw principle in this country is owing to the enterprise of Messrs. J. and W. Dudgeon, ship-builders and engineers, of Limehouse, who, in November last, tried their first vessel fitted in this way on the Thames, the "*Flora*," of 400 tons, and 120-horse power of engines (collectively), followed afterwards by two other vessels, the "*Hebe*" and "*Kate*," of about the same dimensions and power, the trials of which were carried out under the supervision of the Admiralty officials. The success of the trials was in each instance most unequivocal and satisfactory, and in the present trial of the "*Aurora*," while the value of the twin screw principle was again demonstrated in the most satisfactory manner possible, it was also on this occasion developed more fully than in either of the previous trials. The double screw was adopted by the Admiralty some years since in the construction of the iron-cased floating batteries, but they were driven in those vessels by collective, not independent engine power; consequently the adoption of the principle in their case only enabled the Admiralty to construct vessels that float at a moderately light draught of water, and carry an immense (for their tonnage) weight of armour and armament, in addition to the weight of their engines, but it gave the vessels no increased powers of turning, or manœuvring rapidly under steam in any circumscribed space, which they would have possessed had their screws been driven by independent engines, as were the "*Aurora's*" in the present trial. It is these increased facilities

which the double independent screws offer to ships of war for manœuvring rapidly, whether engaged with an enemy afloat or with a shore battery, that has brought the subject so prominently before the notice of the Admiralty and the general public.

The "Aurora" is an iron vessel, 165 ft. in length, with a beam of 23 ft., a depth of 13 ft. 6 in., an area of midship section of 150 square feet, and a displacement of 400 tons. Her engines have a collective nominal power of 120-horse, and drive two three-bladed screws, each independently of the other, 7 ft. in diameter, with a pitch of 14 ft. 6 in. The cylinders have a diameter of 26 in., and a 21 in. stroke. The "Aurora" is a smart-looking vessel, with much finer lines forward and aft than were possessed by either of her predecessors. She carries two short masts, rigged for fore and aft canvas, and altogether, although "light as a bladder" on the water, has the appearance of a thorough steam "clipper." Her draught of water at starting was 7 ft. 3 in. aft, and 5 ft. 3 in. forward.

A large party of gentlemen left town in the morning for Tilbury station pier, alongside which the "Aurora" lay with her steam up. Immediately on the party embarking, the screws were set to work in opposite directions, and the vessel slewed round with her head down river and started on her trial at 12.20 p.m., under the charge of Mr. Leigh, Trinity pilot, the wind being strong at S.W., and the tide half-ebb. In running past the measured mile in the Lower Hope, with the engines not up in the number of their revolutions, she was timed and found to go over the ground in 4 min. 8 sec., giving the vessel a speed of 14.516 knots. At 1.30 p.m. the "Aurora" was approaching the Nore Light vessel, the engines averaging 120 revolutions, with 27 lb. of steam and a vacuum of 25 in., and every part working with the greatest possible smoothness. At 1.37 the Nore was passed, the distance from Tilbury, twenty nautical miles, having been done in one hour and seventeen minutes, an almost unparalleled rate of speed, considering the vessel's horse-power of engine and hull displacement. From the Nore to the Mouse Light the vessel continued her course, the wind still fresh from the same quarter, and the movement of the water which necessarily accompanied it giving the vessel, from her light draught and hold upon the water, sufficient "roll" to detract from the efficient acting of her only just submerged screws. Notwithstanding this disadvantage, however, she ran past the "mile" on the Maplin Sands in 4 min. 10 sec., giving a speed of 14.400 knots, it being now about slack water, and the tide of little moment either way, and accomplished the distance to the Mouse Light at 2h. 5m. 22s., having been 28 min. 23 sec. from the Nore—eight nautical miles. During the latter part of the run down a small jib had been set to steady the vessel, but no other help was given by the vessel's canvas to her engines in attaining this somewhat extraordinary rate of speed. From the Mouse the "Aurora" was run out between the Maplin and the Barrow as far



as the Swin Light, passing the "James Dixon," a fine screw collier under sail and full steam, with her head in the same direction as the "Aurora's" on the way. On reaching the Swin the vessel's head was brought round and laid homeward, it having been decided not to lengthen the trial by making circles, &c., owing to the high state of the wind, the light condition of the vessel, and the very satisfactory manner in which she had already turned both to port and starboard in answer to her rudder or screws, proving that she possessed the same facilities in that respect as were possessed by the "Flora," "Hebe," and "Kate,"—a facility of manœuvring, in fact, which must necessarily be possessed by every vessel built for and fitted with double screws driven by independent engines. Southend was passed at 4h. 15m., and about two miles ahead was seen the "Sea Swallow," one of the fastest paddle steamers on the Thames, plying between London, Southend, and Sheerness, and a hot chase naturally ensued, the "Aurora" eventually passing the clipper at 4h. 40m., in the midst of a heavy squall of wind and rain, and subsequently during the run up to Blackwall passing every thing under steam she came across. Gravesend was passed at 5h. 15m., the engines making on the average at the time 127 revolutions, and Blackwall pier, the closing point of the "Aurora's" day's work, being reached in one hour and seven minutes, the distance being twenty miles. At Blackwall the numerous visitors on board disembarked and returned to town by rail.

Among the visitors on board were Vice-Admiral Sir George Sartorius, Captain Symonds, R.N. (a strong advocate with the Admiralty for the adoption of the double screw principle in the royal navy for some time past), Captain Cuenskaw, the owner of the "Aurora," destining her for the China trade; Mr. Russell, C.E.; Mr. Allen, R.N., of the "United Service Gazette," and other gentlemen whose names are well known in the naval, scientific, and literary world.

## SEPTEMBER.

2. BRITISH ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE.—The annual meeting of the Association took place this year at Newcastle-upon-Tyne, on the 26th of August, and the sectional meetings were carried on from day to day with much spirit until September 2nd. Several papers of importance—some eminently practical, others highly speculative—were read, giving rise, in many cases, to animated discussions. A pleasant break was given to these meetings on the 29th, when three excursion-trips were arranged.

For those whose tastes lie in the direction of Roman altars, the Roman wall, and other antiquities, the trip to Crag Lough afforded abundant enjoyment. The moors surrounding the charming lakes in the district also abound with the most interesting objects for the microscopist, and many a rare specimen was added to the collections of the naturalist during the short visit. The archæology of the district was explained by the Rev. J. Bruce, the geology by Mr. Howse, and the botany by Mr. Brady.

Another party took the train to Sunderland, and in the neighbourhood of that town they had an opportunity of examining the famous Monkwearmouth coal mine, the deepest in the world—the sinking being 1900 feet, and the excavations carried out to a considerable extent below the bed of the sea. The extensive quarries, the manufactories, and shipbuilding yards of the town, and the extensive glassworks of the Mayor, the large bridge over the Wear (formed of the largest cast-iron arch in the world), were among the objects of interest promised to this section of the visitors. More than a hundred of the more distinguished visitors lunched with the Mayor, Mr. Joseph Hartley.

A third party was formed to visit the most romantic portions of the Border counties, the picturesque scenery of the river Liddell, the various interesting geological features of the district, and ending the journey at the famous Kielder Castle, where the Duke of Northumberland had provided an hospitable and welcome luncheon.

In the evening the Mayor of Newcastle gave a dinner party, and at night all the members and associates were invited by his Worship to attend a concert at the Town Hall.

On the previous day a select party, which included Baron Donald Mackay, the Chevalier de Parmentier, the Chevalier Schaffer, Austrian Consul-General, Mr. W. B. Beaumont, M.P., Mr. Somerset Beaumont, M.P., and Baroness de Bury, visited Sedghill Colliery, and, dressed in suitable costume, went down, ladies as well as gentlemen, and examined the workings of the pit. In the evening Professor Williamson, President of the Chemical Section, delivered a lecture in the Town Hall, "On the Chemistry of the Galvanic Battery considered in connexion with Dynamics." The hall, which will conveniently accommodate between 2000 and 3000 persons, was well filled. Sir William Armstrong presided. In the evening, also, a ball was held in the Assembly-rooms. Dancing was led off by the Mayor and Captain Grant, one of the discoverers of the Nile.

The feature of importance on the 31st was the meeting of the General Committee, at which it was decided where the Association should meet next year. Sir W. G. Armstrong, C.B., presided, and there was a large attendance of members. The chairman having opened the proceedings, the minutes of the last meeting, at Cambridge, were read and confirmed. General Sabine then rose, and in a short address proposed a resolution to the effect

that the General Committee of the British Association learnt with regret that they were about to lose the services of Mr. Phillipson as one of the secretaries, to whose exertions much of its success was due. The resolution was carried by acclamation. Mr. Phillipson, after expressing his thanks for their resolution, said the Association was never in a better condition. Its members were never more united, and never had there been more of that mutual confidence that had carried them through all difficulties. In conclusion, he said he would leave his office in hands in which it would be well conducted. He proposed that Mr. Francis Gilton and Mr. Hopkins be the joint secretaries for the ensuing year, and moved the re-election of Mr. G. Griffiths as assistant-secretary, and Mr. W. Spottiswoode as treasurer. Sir R. Murchison seconded the motion, and it was unanimously carried. The chairman then announced that the next business was in connexion with the future meetings of the Association. The Assistant-Secretary read applications from Bath, Nottingham, Dundee, and Southampton, and the Potteries. Mr. Tite, M.P., strongly urged the claims of Bath. The Mayor of Bath, Alderman Barrett, M.D., also supported the claims of Bath. Mr. Paget, M.P., appeared to urge the claims of Nottingham, and the Mayor of Nottingham and Dr. Roberts supported the claims of that borough. Provost Parker, Lord Kinnear, and Sir J. Ogilvy supported the claims of Dundee, these being all the applications. On the votes being taken, the chairman announced in favour of Bath by an overwhelming majority. The appointment of officers was then proceeded with, and the next meeting fixed for some time in September. Sir Charles Lyell is to be President. The meeting then separated, and the members afterwards dined together at the Queen's Head Hotel, by invitation of the members for the borough. In the afternoon the Mayor declared a general holiday in answer to a requisition presented him to that effect, the occasion of it being the scientific balloon ascent of Mr. Henry Coxwell and Mr. Glaisher. Though not connected with the British Association, the ascent excited considerable interest. At night there was a *soirée* in connexion with the exhibition at the Central Exchange. There was a large and gay company, and, although the attractions of music were wanting, the microscopes and other scientific instruments exhibited, and the admirable collection of paintings and models, proved of great interest.

A visit paid on September 1st to the extensive iron shipbuilding works of Messrs. Palmer, at Jarrow, near the mouth of the Tyne, enabled about three hundred members of the Association to witness the application of several important branches of science to great practical purposes.

The next day a large section of the British Association was extemporized upon the sea-beach on the Northumberland coast, near Tynemouth, and for once, at the Newcastle meeting, the general public were allowed to "assist." The object of this

gathering was to witness rifled cannon experiments, Sir William Armstrong having brought two of his 12-pounder breech-loaders and one of his muzzle-loading field-pieces down for experiments at short and long ranges. A target had been erected upon a headland within-side of St. Mary's Isle; and the long-range trial would be very nearly three miles, and the shorter range about two miles. The artillery was manned by efficient men belonging to the 1st Northumberland Artillery Volunteers, and some extraordinary results were produced by the guns. After the close of the experiments, the principal visitors returned by special train to North Shields, where they partook of luncheon provided by Mr. John Fawcus, the Mayor of Tynemouth.

Several of the sections met this forenoon. The Geographical and Ethnological Section maintained its popularity until the last. It was crowded all the forenoon by a highly-fashionable company. In concluding the business of the section Sir R. Murchison said, never in the whole history of the Association had so many interesting discussions taken place in the geographical section, or had the section been attended by such large numbers of spectators as at that meeting.

In the afternoon the General Committee of the Association met in the lecture-room of the Literary and Philosophical Society. The Mayor (Mr. Bell) occupied the chair. Several committees were appointed to carry out investigations and experiments during the ensuing year, and several grants of money were ordered to be made.

At four o'clock the concluding general meeting of the members of the Association was held in the Town Hall—Sir W. G. Armstrong, the President, in the chair. The leading members of the council of the Association were upon the platform, and the hall was crowded, the meeting being honoured by the presence of a large number of fashionably-dressed ladies. Professor Phillips read a report of the financial results of the meeting. There had been present:—

|                        |           |                  |              |
|------------------------|-----------|------------------|--------------|
| Old life members       | . . . 210 | Ladies           | . . . . 1004 |
| New life members       | . . . 35  | Associates       | . . . 1719   |
| New associated members | 151       | Foreign visitors | . . . 24     |

And the money received was about 3600*l*.

The chairman congratulated his townsmen upon the results of the happy and successful meeting that they were now bringing to a conclusion, and thanked all classes for their hearty co-operation in producing those results.

Sir Roderick Murchison moved, and Professor Phillips seconded, a vote of thanks to the Mayor, Corporation, and Local Committee and officers for their great and effectual exertions—exertions that had been crowned with success—in promoting the prosperity of the Newcastle meeting. The motion was carried with cheers, and the Mayor, who had been congratulated by the mover and



seconded of the motion upon his distinguished position as a scientific man, returned thanks in an effective speech.

Professor Willes moved, and the venerable Dr. Headlam seconded, a vote of thanks to the President, Sir William Armstrong, for his great labours in connexion with the meeting, and for his munificent hospitality to the visitors—a resolution which was carried with loud cheers. Sir William thanked the meeting with much earnestness for the honour they had done him. The meeting then broke up.

On the 3rd there were excursions to Allenheads, Cleveland, and Marsden Rocks.

Several excellent papers, as already stated, were read in the different sections; we have only room for an abstract of one or two which are of most interest to the general public.

*The Recent Gold Discoveries.*—In the section of Economic Science Mr. H. Fawcett read a paper “On the Effects of the Recent Gold Discoveries,” which attracted considerable attention, and led to a very animated discussion. Mr. Fawcett reckons that the amount of our whole existing gold currency is 300,000,000*l*. The next ten years will introduce 200,000,000*l* of fresh gold from Australia, California, and other quarters. He subtracts from this latter amount 60,000,000*l*, which he sacrifices to “absorption,” allowing that so much of the additional gold will be absorbed in the annual wear and the needs of expanding commerce, the growth and enlargement of which during this period must be taken into the account. This leaves 140,000,000*l* as the addition to our gold currency in ten years’ time. But gold is depreciated and lessened in value according to its abundance. Did it promise, then, to be twice as abundant at the end of ten years as it is now, it would threaten a loss of half its present value; and therefore, promising, as it does, an addition of nearly a fourth to its present amount at the end of that period, it threatens a loss by that time of nearly one-fourth of its present value. Mr. Fawcett thinks this depreciation “sufficiently probable to induce any prudent person to take every precaution to obviate its consequences.” At the same time, he opens out to view another obstacle to the full working of the law besides the recent eastward run of gold, and an obstacle in its nature permanent. “It should be remembered that a depreciation in the value of gold was always liable to be more or less counteracted, because as the value of gold decreased the profits of gold-mining would diminish, and this would exert a tendency to lessen the supply.”

Dr. Hancock, of Dublin, supported this counteracting cause, quoting Mr. Senior and other political economists; but Colonel Torrens opposed it.

Mr. Davy looked forward, differing from Mr. Fawcett, not only to a continuance of the Eastern demand for gold, but to an increase of it.

Mr. Hodgson “inquired whether it might not be desirable to

insert in mortgage deeds that the amount should be repaid to the lender either in gold or silver, at his option ;" a suggestion which shows that the opinion of the speaker inclined to the approaching depreciation of gold.

Mr. Ashworth, on the contrary, "thought that political economists attributed too much importance to the gold question, and believed that, however large was the annual production of gold, it would be absorbed." He stood up "for the experience of practical men, which constantly refuted the theories of political economy."

*Our Coal Fields.*—The probable continuance of the supply of that most essential article of fuel, coal, occupied a considerable share of the attention of the members of the Association, the prominence given to the subject in the address of the President, Sir William Armstrong, having given an impulse to the inquiry in that direction.

Among the most complete and valuable papers read in the Geological Section, was one prepared by Mr. Nicholas Wood and other local authorities, in which every question bearing upon the origin, the production, and the consumption of coal was fully and elaborately discussed. The conclusion drawn by Mr. Wood is so far satisfactory as showing that there is no ground for immediate apprehension as to the failure of the supply of coal. At the conclusion of his address he said :— "It has been intimated that it would be very desirable that some observations should be made on the duration of the northern coal field. No doubt the quantity of coal yet to work in that coal field is a subject of national importance ; but, from the observations already made, it will have appeared that such a calculation is attended with more than ordinary difficulty. The coal field may be said to be that of an oval basin, elongated north and south. On the western side of the basin the out-crops of the seams are pretty well defined, but more than one-half of the basin appears to be covered by the sea, under which at present it may be said that no explorations have been made. We have stated that the line of the sea-coast does not pass over the line of the deepest part of the basin, but that for a very considerable distance the beds of coal dip to the east, or underneath the sea. We do not know how far beyond the sea-shore the beds dip underneath the sea, or at what distance beyond the line of the coast the greatest depression of the coal beds will be found. Until further and more extensive explorations determine this, we are completely at fault as to the quantity of coal lying underneath the sea. We see, therefore, the difficulties which we have to encounter in approaching such an inquiry, and we naturally ask ourselves can such an inquiry at the present moment be of the least practical utility ? We have not yet reached the threshold of such a conjecture. We have not explored one square mile of this vast unknown space, or determined one of the many elements required in such an intricate and uncertain investigation, and we have come to the conclusion

that, to say the least, such an investigation can be of no practical utility, and that the attempt, for a vast period of time, is at the least premature."

The inaugural address of Professor Warrington Smyth, "On the Coal Fields of Newcastle," attracted much attention. The following sketch of the advance of geological knowledge in ascertaining the life of the coal forest will be new to many:—"But much remains to be done by microscopic inquiry, and by the observation in the pits, of the plants which accompany particular seams. Göppert tells us of certain coals of Rhine-Prussia and Silesia, that different seams are distinctly formed of different plants, sometimes sigillaria and lepidodendron, at others coniferæ, and in many stigmaria being chiefly prominent. May we not by degrees connect the peculiar and perhaps varying character of seams with the plants of which they are formed, and may we not advance to a much nearer perception of the true character of those wondrous primeval forests? And here I would remind you that while some of our guides in coal geology incline to the opinion of a marine origin for their plants, thus bringing them into natural contact with the fishes and the probably marine shells often found in the shales, others insist on a terrestrial vegetation, and a third on that of lagoons, or sea-swamps and bogs. The last few years have given more heavy arguments to those who insist on a larid forest, however near to the water's level it may have been. We but recently knew that among these giant stems of sigillaria the busy hum of flying insects and the merry chirp of the cricket were heard, that scorpions curled their ominous tails, that land-shells crept slimily along, and that several genera and many species of reptiles either pursued their prey along the ground or climbed the trees where hollow trunks have formed the casket to contain their remains. Here, then, is a goodly population to vivify the scene which only a few years ago was held to be almost wanting in all but vegetable life; and when we consider the accidents which have, amid the great decomposition of organic matter, preserved to us these remains, generally enclosed in ironstone nodules, we must feel confident that coming years will have many an additional fact to disclose."

*Balloon Ascents.*—In the Mathematical and Physical Science Section, Mr. J. Glaisher presented his report on balloon ascents. He said that the most important work the balloon committee had charged him to perform was to take such observations as would lead to the determining of the laws of the decrease of temperature of the air, and of moisture, with increase of elevation. First, then, with regard to the temperature of the air, he might state that on ascending with a cloudy sky the temperature usually declined till the clouds were reached, but on breaking through them there was always an increase of several degrees of temperature, and after this the decline of temperature usually continued, and would do so continuously if there were no disturbing causes in operation. On ascending with a clear sky, they started with a

higher temperature than with a cloudy one. The results deducible from these observations were, that the decline of temperature in cloudy states of the sky near the earth was only one-half of that when the sky was clear. From this it might be concluded that the decline of temperature was largest near the earth; smallest at the highest elevation; and intermediate with increasing spaces for the same decrease of temperature; in these respects agreeing with the general law as formed from the extreme high ascents. This law seemed to him more natural and consistent than that a uniform rate of decrease could be received as a physical law up even to moderate elevations. The results of the experiments in regard to the variation of the hygrometric condition of the air with elevation, were, with an overcast sky, and almost uniform degree of humidity to the height of 3000 feet—viz., 77 out of the 100 parts; then a rather sudden decrease to 80, and to 83 at 5000 feet. With a partially clear sky, the laws of moisture showed a humidity on the ground of 15 out of 100 parts, and of 14 at 5000 feet. In regard to the height and appearance of the clouds, Mr. Glaisher stated that, in the year 1862, in one ascent, he was in a cloud 10,000 feet from the earth; and on another occasion at 7500 feet. This year he had been in clouds to a height exceeding six miles; and on another occasion the height of clouds of a cirro-stratus character he estimated to be three or four miles; and generally the position of the clouds had been much higher than last year. In the year 1862, on emerging from the clouds, he broke into bright sunlight, and always had a beautiful sea of rocky clouds dazzling in their brightness beneath him. This year's experience had not included any fine views of clouds at all. The contrast in this respect was very great. Last year the appearance of the sky was of a deeper hue generally than it had been this year. On March 31 the sky was of a deep Prussian blue, and on April 18 it was of a faint blue only, exhibiting another great contrast to the appearance of last year. Mr. Glaisher said it was a most remarkable result, perhaps, in a physiological sense, that both Mr. Coxwell and himself could go fully a mile higher now than they at first could without experiencing the same unpleasant sensations or becoming blue. He did not know whether this result was due to the fact that they were getting acclimatized.

At the close of the reading of Mr. Glaisher's paper, Professor Owen said he had attended this meeting of the section chiefly in the hope of hearing from Mr. Glaisher something of the influences of these very high distances on the human frame, which was adapted, of course, to a very different medium. The fact which Mr. Glaisher mentioned as to his feeling a greater power of resisting the influence of very high temperatures was very interesting in physiology and in relation to the series of facts with which they were acquainted. They knew their lungs did adapt themselves to atmospheres of different degrees of gravity, so that there were people who lived habitually on high mountains, and felt no diffi-



culty in breathing, such as was felt at once when the inhabitant of a plain or low country came up to these elevations. Now, that depended upon the greater proportion of the minute cells of the lungs which are open and receive an attenuated atmosphere, in proportion to the minute cells that are occupied by a quantity of mucus. Those on the plain did not make so large use of their breathing apparatus as those who lived at great altitudes. Hence more cells, occupied by mucus, would be taken up and opened to free course and play; and he had no doubt that was the solution of the interesting fact mentioned by Mr. Glaisher. Physiologists were all agreed that one condition of longevity was the capacity of the chest, and therefore he hoped the increased breathing capacity acquired by Messrs. Glaisher and Coxwell would tend to the prolongation of their lives.

*The Rifle Volunteer Force.*—In Section F—Economic Science and Statistics—Lieutenant-Colonel Allhusen read a paper “On the Volunteer Force: its Comparative Cost, Development, Present State, and Prospects.” After stating the circumstances under which the force was started, and giving a short outline of its progress, Colonel Allhusen said that the total enrolled strength is now 159,000 men of all ranks, of whom 1300 are cavalry, 23,000 artillery, 2500 engineers, and 132,200 rifle volunteers; and although quarterly returns and the “Army List” may show no sensible diminution, yet in many cases it must be admitted that the number of effectives falls far short of the number enrolled; that drills are becoming less frequent, musters smaller, and recruits more difficult to enlist; and that, notwithstanding what has already been done by Government, or what may still be done, the volunteer force will gradually dissolve as former volunteer forces have, unless the youth of this country more generally practise as well as acknowledge the duty of not being willing only, but, *valens et volens*, willing and able to defend it. The estimate for the volunteer force for 1863-4 was 321,884*l.*, or a cost for each man of 2*l.* 0*s.* 6*d.* After comparing the military force of England with those of the continental nations, the gallant colonel concluded as follows:—“The people of this country, from their natural industry and energy, pay almost undivided attention to the pursuits of the day that interest them most; hence, a long-continued peace produces apathy, and almost a dislike for all military exercises. Thus it is that after Marlborough, the renown of the British arms seems gradually to have receded until the glorious campaigns of Wellington again raised them to admiration; and although after forty years’ peace the battles in the Crimea were fought with the utmost bravery, and under severe privations, yet on the Continent the prestige of our arms most certainly suffered because our military organization was considered far from what it ought to have been. This, however, produced reforms which have placed the army in the highest state of efficiency; and now that the militia is well organized, the yeomanry regularly

trained, and the volunteer force still in its strength, England has a military armament equal to any emergency. The desired position, then, having been attained, every effort should be made to preserve it, and success, through Providence, will be certain if the other services continue efficient, and the volunteer army be rendered permanent. The idea of invasion may have become latent or merged in the memories of the past; still men well know that as the tide of time rolls on, the nations, as they rise and fall in its course, can neither command the sunshine of peace, nor prevent the thunder-clouds of war."

5. SINGULAR DISCOVERY OF THE DEAD BODIES OF CHILDREN IN WHITECHAPEL CHURCH.—Mr. J. Humphrey, coroner for East Middlesex, held an inquest to investigate the extraordinary circumstances connected with the recent discovery of a large number of coffins, containing the bodies of alleged stillborn children, in the steeple and roof of Whitechapel Church.

In the belfry, behind a sort of wooden chamber or box, containing one of the huge clockweights, a child's coffin was found standing on end. Upon proceeding upstairs into the clock chamber, the men employed in the examination found a child in a shroud, and no fewer than eleven skulls. There was also in another part of the chamber a coffin containing a quantity of sawdust which, upon being removed, disclosed to view the skeleton of a child with a cap on the skull. These and other remains had been placed behind some beams or joists parallel to the wall, at a height of eighteen feet above the floor of the chamber. To reach the spot where the remains were found, it is stated that two persons at least must have been engaged, for the only access to it was by means of a narrow ledge of timber, five feet from the ground, and the coffins have been handed up to the person above by an accomplice.

The total number of remains found were three bodies of children, eleven skulls, and a quantity of fragments of bodies, besides coffins complete and broken up.

Much evidence was taken, but few facts of importance transpired. Several persons who had acted as assistants to Mr. Canham, an undertaker at Whitechapel, and was said to be in Australia, deposed that it had been the practice of parents to bring stillborn children to his shop, but they were unable to say what became of them afterwards. It transpired that in some cases a stillborn child was buried for 4s. 6d., out of which the undertaker had to pay half-a-crown for the ground and the expenses of the coffin. The coroner in summing up remarked that the evidence disclosed that, owing to competition, undertakers would say they would bury stillborns for a sum that would leave only a profit of 9d. on the transaction. Where competition was so keen there would always be found black sheep in the trade who would dispose of the bodies surreptitiously, with the connivance of some persons who would enable them to save the burial fees. The bodies of stillborn chil-

dren were constantly found in the streets, and if undertakers would compete so sharply that it was worth their while to dispose of children in the roof of a church, it was not doing them an injustice to believe that they would also deposit bodies in the street.

The jury returned the following verdict on one of the children : —“That on the 22nd of August, the deceased child, unknown, being an infant of tender age, was found in the roof of Whitechapel Church, and that, from the lapse of time, there was no evidence to prove how the said child came by its death ; and the jury find upon evidence that it is the practice of undertakers to receive certificates for the burial of stillborn children from midwives, or any other female, and the jurors feel that such a practice affords facilities for the perpetration of abortion and infanticide, and they recommend that any person burying or assisting to bury a stillborn child without a proper medical certificate shall incur the penalty of a misdemeanour. And the jury declare the sexton of Whitechapel Church guilty of great irregularity in burying stillborn children in a closed churchyard, and in destroying the certificates, and in not accounting to his superiors in such cases, and that he was guilty of culpable negligence in his care of the church which was in his charge, and the entrance to which was entirely in his keeping. And the jury recommend that the officers of the parish should communicate the suggestions above contained to the Secretary of State for the Home Department.”

The inquiry then terminated.

9. EARL RUSSELL IN DUNDEE.—The magnificent park presented by Sir David Baxter to the people of Dundee, was formally handed over to the trustees. The day was kept as a close holiday, and the town was completely *en fête*. In the forenoon Earl Russell met the town council and guildry in the Corn Exchange, and was presented with the freedom of the burgh, and created a guild brother. His lordship was accompanied to the platform by the Countess Russell, Lady Georgina Russell, the Earl of Dalhousie, Sir J. Ogilvy, and Sir D. Baxter. After Provost Parker, in an eloquent address, had conferred the freedom of the burgh, and Dean of Guild Kennedy had presented the freedom of the guildry to Earl Russell, his lordship rose amid deafening cheers and said :—

“Sir and Gentlemen,—I receive with gratitude the freedom of the ancient and royal burgh of Dundee. I have come here for the first time, to add my tribute of respect to one of your most distinguished citizens, who has nobly provided for the health and recreation of his fellow-citizens, and well deserves to be remembered to all time as a public benefactor. The increase of large towns is a proof of increasing wealth, and the effect of prosperous industry is not without accompanying evils. One of these evils is the exclusion of the face of nature ; and happy is he who can give to those ‘in populous city pent’ a rest from exhausting toil and

scenes which invigorate the body and turn the mind to the contemplation of the wonderful works of God. In referring to measures which I have contributed to promote during a long course of parliamentary exertion, you have done me too much honour. I have been happy to contribute to the victory of those eloquent and distinguished men who were foremost in the cause of Catholic emancipation, and who won for the people the great battle of the repeal of the corn laws. With regard to the measures in which I had a more immediate part—in proposing the repeal of the Corporation and Test Acts, in framing a plan for parliamentary reform, and introducing a bill for the reform of our municipal corporations—I have been studious to build upon the ancient foundations, to adapt new measures to existing laws, and to put them in harmony with the institutions of a country long free and justly proud of its liberty. Thirty years of experience have shown that I have not been mistaken in my hope; every year has strengthened our political constitution, and confirmed, as you justly observed, our domestic tranquillity. As Secretary of State for Foreign Affairs it has been my object to preserve peace with honour. You may rely with confidence upon the administration of Lord Palmerston, who is so justly and so universally popular, for maintaining a line of strict impartiality in the lamentable conflict still raging in America. The duties of neutrality between parties violently hostile are not easily performed. It has been and will be our endeavour, however, to exercise the powers now entrusted, or which may be hereafter entrusted, to the Crown by Parliament, in such a manner as at once to defeat every attempt to engage our people in enterprises inconsistent with our neutral position, and to preserve for ourselves, our persons and property, those safeguards of British law and British justice to which alone they are indebted for the security they now enjoy.”

The Corn Exchange was crowded by the influential citizens of Dundee, who gave the noble Earl a cordial welcome.

At one o'clock the various bodies who took part in the grand ceremony of the day met in the Barrack Park. When the line had been formed, the procession marched through the principal streets to the People's Park, which is situated at the N.E. extremity of the town. The park occupies thirty-eight acres, and is most tastefully laid out. In the centre stands a handsome pavilion, in the Italian style, built at a cost of 6000*l.*; at each entrance there are handsome lodges. The cost of the park, its embellishment, and the sum set apart by the donor for its maintenance cannot be less than 50,000*l.*

A statue of Sir David Baxter, subscribed for by upwards of 16,000 of the people of Dundee, as a mark of their gratitude for his noble gift, and which was executed by Mr. Steel, sculptor, Edinburgh, was uncovered on the occasion.

Amongst the speakers at the opening of the park were the Earl of Dalhousie, the Earl of Camperdown, Sir David Baxter, and others.



There was a grand display of fireworks in the park, and illuminations in various parts.

10. RETURN OF THE QUEEN TO ENGLAND.—The Queen, accompanied by the members of the Royal Family and attended by her suite, took her departure from the Castle of Rosenau on the 7th, on her return to England. Her Majesty reached Kranichstein, near Darmstadt, on the 8th, and spent the day with Princess Louis of Hesse. The Queen took leave of the Princess and left Kranichstein at ten o'clock the same evening, and arrived at Antwerp at half-past eight o'clock the next morning. The Queen embarked immediately on board the royal yacht "Victoria and Albert," Captain the Prince of Leiningen, accompanied by the Admiralty steam-vessels the "Black Eagle" and the "Vivid." The royal squadron anchored for the night in Margate Roads, at seven o'clock, and on the following morning proceeded up the river to Greenhithe, where the "Fairy," steam tender to the "Victoria and Albert," was lying in readiness to convey the Queen and her suite from the royal yacht to Woolwich. Her Majesty and the Royal Family embarked on board the "Fairy" and steamed up the river to Woolwich Arsenal, where the royal travellers disembarked. The Queen was received on landing by Commodore-Superintendent Sir Frederick Nicholson, Viscount Sydney (lord-lieutenant of the county), Major-General Sir Richard Dacres, Captain Gordon, and other officials. Though no salute was fired, the reception of the Queen was loud as well as fervent, a large assemblage of persons cheering her as she left the Arsenal gates. As Her Majesty reached her carriage a loud cheer broke from those around, which was taken up and continued as she passed through the Arsenal and out of the gates, whence the royal party proceeded by Lower Charlton, Greenwich, and Deptford, to the private station of the South-Western Railway, near Nine Elms, where a train was in waiting by which they proceeded to Windsor. At the Putney, Richmond, and other stations along the line, many spectators were assembled; and at Windsor a much larger concourse awaited the arrival of the royal train. The journey from Nine Elms was performed in forty-five minutes, Her Majesty reaching the Windsor station at five minutes to one o'clock. Such was the boisterous state of the weather that the royal standard, hoisted on the Queen's arrival, had very soon to be replaced by the small storm-flag.

11. EXECUTION OF FOUR MEN FOR MURDER AT LIVERPOOL.—Four men, each convicted of a separate murder, and three of them for the murder of women, suffered the extreme penalty of the law at the usual Liverpool place of execution at Kirkdale Gaol. A circumstance of such a nature as this never occurred in Liverpool before, and, as may be supposed, it attracted an extraordinary crowd, a large proportion of which consisted of persons from a distance; but, independent of these, there was an immense assemblage of men, women, and children belonging to the town. The culprits

were José Maria Alvarez, a Spanish seaman, convicted of the murder of James Harrison, in Oldhall-street; John Hughes, convicted of the murder of his wife in Great Homer-street; James O'Brien, an Irish sailor, condemned for the murder of Elizabeth Callaghan, in Spitalfields; and Benjamin Thomas, a Welsh sailor, sentenced to death for the murder of Mary Rowlands, in Brook-street, Oldhall-street. All of these murders were attended with circumstances of great aggravation and ferocity, and although considerable efforts were made by different persons to obtain a commutation of the sentences passed on the different men, there never appeared any reasonable ground for believing that the royal clemency would be extended to any of them.

O'Brien exhibited a defiant bearing; the others were calm, submissive, and prayerful. The following are the circumstances connected with the various murders:—Benjamin Thomas lodged with Mrs. Rowlands, the wife of a merchant captain, and was slightly in her debt. He had engaged to go to sea in a ship for which a man named Crossthwaite was acting as shipping-master, and, in consequence of that engagement, received an advance note, which he lodged with the deceased as security for the money that he owed her. He afterwards expressed an unwillingness to sail in the ship; and Mrs. Rowlands, who was aware that in the event of his failing to go on board at the appointed time the advance note would become worthless, made repeated attempts to overcome this unwillingness, and told him distinctly that if he did not join the ship he would be sent to prison for three months. On the 12th of May she was reasoning with him in the Welsh language, when the prisoner suddenly rose, went into the cellar, and called to the deceased to come after him. She followed him immediately, and while she was in the cellar he attacked her with a heavy wooden instrument called a "potato-masher," and mangled her head and face dreadfully. She died immediately. After this he went upstairs and made a ferocious attack upon a young woman named Benbow, and an old woman named Evans, who received some frightful wounds, and narrowly escaped the fate of Mrs. Rowlands. José Maria Alvarez, another of the murderers, was walking along Oldhall-street, Liverpool, on the 12th of May last, as were also James Harrison, and a man named Cohen. Cohen accidentally jostled the prisoner, and immediately offered him an apology. Alvarez appeared very much enraged, spoke a few words in Spanish, drew his knife or dagger, and stabbed Cohen twice. He first wounded him in the back, and then in the breast; but neither of the injuries in this case proved fatal. As soon as Harrison heard his friend cry out, and became aware of what had happened, he attempted to arrest the prisoner, but Alvarez resisted, and wounded him twice. One of these wounds was a very severe one in the abdomen, of which the unfortunate man died. Harrison fell in the street, and the prisoner went away. He was called a "villain" by some women who were standing by, and he imme-

diately took up the apron of one of these women and wiped his bloody dagger upon it. Having done this he succeeded in getting away, but was shortly afterwards apprehended by the police. John Hughes, the third murderer, was an habitual tippler, and, as is not unusual with fellows of his class, was in the habit of beating his wife. He threatened to "dance upon her," and said that she ought to have been hanged at Kirkdale instead of two men whom he saw upon the scaffold some time before his own execution. This feeling towards his wife took a murderous shape on April 30th, on the morning of which day he got up, went to her bedside, and asked her to give him a shilling. She said that she had but one, a sixpence, twopence, and a foreign coin, and she refused to give him any thing. He said he would have it "out of her bones," and an hour later, when he had dressed himself and taken breakfast, he went to the bed-room, where he beat his wife with his fist until she fell off or over a box, and then trampled upon and kicked her with so much brutality that she was completely paralyzed. Her spine was severely injured, and she died two days afterwards. The scene of the murder committed by O'Brien was a house of ill-fame in Spitalfields, and here some women of the town robbed him of his wages, to earn which he had done hard service on board ship for many weeks. His chagrin at the conduct of the women was intense, and, having made an unsuccessful attempt to induce the police to interfere, he went into a cutler's shop directly opposite the police-station and purchased a sheath-knife, which he sharpened on a stone. He then left the shop, accompanied by a woman named Mather, and drove in a cab to No. 5 Court, Spitalfields. After a few words of conversation, the prisoner shut the door, and drawing the knife which he had just before purchased, he rushed upon Callaghan and stabbed her in the lower part of the stomach. The deceased fell off the chair and was conveyed to the Northern Hospital, where she died.

18. **DISASTERS AT SEA.**—The British ship "Ocean Mail," 800 tons' register, commanded by Captain Linklater, was totally lost in the China seas. The intelligence was received from Suez. The value of her cargo, consisting of teas and silks, is estimated at 100,000*l*. The ship and cargo were insured in London and China.

19. A telegram was received at Lloyd's, reporting the loss of the "Pactolus," 2000 tons, employed on the Liverpool and Canadian line. This is the third that has been lost since the line was opened. She had three water-tight compartments.

23. **DREADFUL END OF A WEALTHY MISER.**—An inquiry took place before Mr. Langham, the deputy Westminster coroner, in the vestry-room of St. Martin's-in-the-Fields, respecting the death of Mr. George Beamire, aged seventy-five years, a gentleman of considerable property, and formerly a barrister-at-law, which occurred under extraordinary circumstances.

The deceased, it appears, for the past twenty years, has resided  
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at No. 1, Adam-street, Adelphi, but in almost total seclusion, no person, under any pretence whatever, being allowed to enter the three rooms in his occupation on the first floor. His meals were prepared by his housekeeper, and were left on a tray at the door of the ante-room, and then taken in by the deceased; and although many times in a state of ill-health, he refused to have medical aid, but used to have sent in from a chemist a large quantity of different descriptions of medicine. All communications to him were received in the same way as his meals, and for more than twelve months he never left the house. He was stated by Mr. James, a solicitor, of Ely-place, to have been a gentleman of considerable ability, and, although very eccentric in his habits, of perfectly sound mind, and capable of managing his property, which consisted, amongst others, of large estates in Cumberland and Cardiff. His time was chiefly spent, it is believed, in reading and writing, the society of men being entirely dispensed with.

The housekeeper, Mrs. Palmer, deposed to many of the above facts, and further added that she on the 14th went up as usual with his dinner, but received no reply to her knock at the door, and although she frequently called him she did not again see him alive. On the 17th, becoming alarmed, she made a communication to the police, and the door was broken open, when a scene was presented which almost defies description. On entering the ante-room the floor was found to be strewn with hundreds of newspapers, writings, &c., chairs, tables, and other articles of furniture. The left-hand room (which is some forty feet in length, and overlooking the river) presented even a more extraordinary appearance. At one end was a handsome chimney-glass, some twelve feet in height, massed in dust and cobwebs. The furniture, of very handsome description, was in an equally filthy state, the dust lying thickly on every thing. The floor was strewn with a mass of articles, consisting of trunks, papers, and books of science and law of much value. There were also three large bags filled with new boots, and several silver spoons lay upon the sideboards; and packages of candles, clothing, &c., were heaped up in all parts in the utmost confusion. Near the doorway, and leaning against the wall, was a painting of the Crucifixion, about twelve feet by four, said to be of value, but which was also covered in dust and dirt. The right-hand room displayed a similar scene of dirt and confusion—furniture, books, paintings, &c., being piled up in different parts of the room. The shutters, which were closed, having been opened, a dreadful sight was presented. The deceased was found lying back in an arm-chair quite dead, and in a rapid state of decomposition, having no doubt been dead several days. He was quite dressed, but in a very dirty state, and by his side the remains of some food. There was not the slightest vestige of bed or bedding, and the deceased, it is believed, for twenty years slept in the same chair in which he was found. In other parts of the room



were scraps of bread, bottles of wine, and medicine. This as well as the other rooms was almost impassable, while the light of day had evidently been shut out for years. Upon a further search made by the police, 7*l.* 17*s.* in a bag, a gold and a silver watch, silver articles, and other valuables were found, and upon the floor were scattered thirty keys.

Dr. Alfred Harvey examined the body, and made a *post-mortem* examination, from which it was shown that death had resulted from exhaustion from low fever, accelerated by his own neglect.

Other evidence showed that the deceased was a single man, and had no near relatives; but a will was made by him, which was in the hands of his legal adviser, Mr. Newson, of Carlisle. He was further said to have been very charitable.

The coroner, in summing up, alluded to the case as one of the most extraordinary in his experience; and the jury after a consultation returned a verdict "That death was caused by exhaustion from low fever, accelerated by the deceased's neglect."

25. CONVICTION OF A SCHOOLMASTER FOR CRUELTY.—George Wilson, the master of the Charity-school of St. Botolph Without, Aldgate, appeared for the second time to answer a charge of violently assaulting John Edmund Jones, one of his pupils. A number of witnesses were called to prove the general kindness and humanity of the defendant, among whom were some of the boys and their parents, but most of the boys had been severely caned on the hand, and one had been privately flogged. Mr. Partridge, in summing up, said there could be no doubt that the punishment had been most severe. Such a system would not be permitted in any public school, and ought not to be tolerated in private or charity-schools. The trustees ought to lay down rules for the guidance of the master, and not again permit such a punishment as this. He fined the defendant 5*l.*, and in default of payment, two months' imprisonment.

— EXTRAORDINARY CASE OF WITCHCRAFT AT CASTLE HEDINGHAM.—Emma Smith, thirty-six, and Samuel Stammers, twenty-eight, were placed at the bar before Mr. Bernardiston and a full bench of magistrates, sitting in petty sessions at Castle Hedingham, charged by Superintendent Elsey with having unlawfully assaulted an old Frenchman, commonly called "Dummy," on the night of the 3rd of August, and thereby caused his death on the 4th inst.

From the extraordinary circumstances connected with the case the greatest interest was manifested in the proceedings, and the court was crowded. The female prisoner was the wife of a beer-shop-keeper in the village of Ridgwell, about six miles from Hedingham, and Stammers was a master carpenter in a small way of business. It is a somewhat singular fact that nearly all of the sixty or seventy persons concerned in the outrage which resulted in the death of the deceased were of the small tradesman class, and that none of the agricultural labourers were mixed up in the affair. It was also stated that none of those engaged were in any way under the in-

fluence of liquor. The whole disgraceful transaction arose out of a deep belief in witchcraft which possesses to a lamentable extent the tradespeople and the lower orders of the district.

The victim of this superstition was a deaf and dumb Frenchman, whose age was about eighty—some persons suppose him to have been about eighty-six years. Being unable to express himself, and being of a somewhat vivacious disposition, he was accustomed to make use of energetic and somewhat grotesque gestures, which were taken by the rustics generally as cabalistic and diabolical signs, and he was consequently regarded with considerable awe. He lived alone in a wretched hut. Who the unfortunate Frenchman was, or whence he came, could not be ascertained. For the last seven or eight years he resided in Sible Hedingham, and previous to that he lived in Braintree. There is little doubt that he gained his living, to a great extent, by telling fortunes, if not by pretences to witchcraft. Some hundreds of scraps of paper were found by the police in his hut after his death, and upon most of them were written questions which, neither in their style nor their subject-matter, say much for the enlightenment of the district. The following are fair samples:—"Her husband have left her manny yrs, and she want to know weather he is dead or alive." "What was the reesen my son do not right?—i meen that solger." "Do you charge any more?" The answer to this query was doubtless satisfactory, for this momentous question was then put, "Shall I ever marry?" Love-letters from girls to their sweethearts were also found, with "Shall I marry," and "How many children shall I have?" written in pencil on them. The most business-like of all the notes was the curt one, "Did you say we kild your dog? If you did, I will send for the policeman." Nor were his patrons altogether confined to the lower orders. One letter states that the lady was "comen herself on Mundy to see yoo, and she gave you oll them things and the shillen."

In the hovel were found, besides, between 400 and 500 walking-sticks, a quantity of umbrellas, some French books, a number of tin boxes, some foreign coins, chiefly of the French empire, and about a ton of rubbish, which it was found impossible to classify in the inventory that was taken. The most definite ideas about the man have been suggested by the following questions which were found written, *seriatim*, on a scrap of paper:—"Were you born at Paris?" "The name of the town where you were born?" "Where was your tongue cut out?" "Le nom de votre ville?" The answers were no doubt made by signs.

It appeared from the evidence, that the prisoner Smith took it into her head that she had been bewitched by this poor Dummy; sought him in his dwelling, and offered him three sovereigns if he would accompany her home and heal her. The old man refused by signs both offers. She then followed him to the tap-room of a public-house called the Swan, and repeated her offers, which he again refused; a mob collected, and at length the woman Smith

struck the poor old man on the head with a stick. This not satisfying her and the mob, it was proposed, as in days of old, to submit him to the ordeal of water. Thereupon the poor old Frenchman was thrust into a ditch, but that not being deep enough, he was dragged up to the mill-head, and dragged through it again and again, until his tormentors began to be frightened at the possible results, and allowed him to crawl on shore, where he lay on the bank exhausted. The old man at length managed to crawl towards the Swan, and leant against the wall for support, and asked for shelter of a butcher named *Ames*, who refused to let him in. At last two women, and a man named *Neville*, took compassion on him, and helped him to his own hut, and recommended him to change his wet clothes. The poor old *Dummy* kissed their hands to express his gratitude. Two days afterwards he was found to be so ill as to be obliged to be removed to the workhouse, where he died from the effects of his ill-usage.

Evidence having been given that the cause of death was clearly traceable to the cruel treatment sustained by the deceased, and as to the part taken by the two prisoners in the ill-usage, they were asked what they had to say in their defence.

*Smith* replied in a peculiar voice, and evidently under the influence of some superstitious fear, that she would tell the truth. Deceased came to her house first. He spat upon her, and told her that after a time she should be ill, and she was ill. A doctor came to her twice in one night, but could not cure her. The man (*Dummy*) came to her shop ten months ago, and asked leave to sleep in her shed. She let him, but in a few days when she wanted him to leave, he made signs and wrote upon a door that she should be ill in ten days. He made her ill and bewitched her, and she went every where, but no one could set her right again, she was afraid, for no medicine could do her any good.

The Chairman.—Are you aware of the nature of the charge against you—that you caused the death of the old man by your conduct on the 3rd of August?

The prisoner.—That night? I will tell you the truth. That night I went to the Swan very bad. I went up to the old gentleman and asked him to go home with me to do me good. He said he would not go. *Gibson* took him up, and put him in my face, to kiss me, but I did not want to do that, as I had a husband of my own. A number of plaiters (of straw for bonnets) came in, and said "How bad this woman is!" There were forty or fifty people there, few of them men. They got him out. Some stoned him, some shoved him into mud, and did more to him than I did. I begged and prayed that he would go home with me, but he said he would not unless he liked. I do not deny that I put my hand to his head, but I was so bad I could not lift a dog, and this man here (*Stammers*) took him by the heels and threw him in the water, and then he (*Stammers*) jumped in and got him out. I may die any moment. There was one there who did not touch him,

and that was Mrs. Bruty, who said she was afraid of him. That is the truth.

Stammers simply said he was not guilty.

The Chairman said it was a fearful and a disgraceful fact that at the present day an old and mutilated man should meet with such a fate, and that no one of all the crowd of men and women present should have interfered to save him, or even have told the police of what was going forward. The prisoners stood committed to Chelmsford Gaol for trial at the next spring assizes.

## OCTOBER.

5. His Majesty the newly-elected King of the Greeks, brother of Her Royal Highness the Princess of Wales, arrived at Dover at three p.m., from Calais, by the London, Chatham, and Dover Railway Company's new steamer the "Samphire," performing the passage in one hour twenty-six minutes. His Majesty was accompanied across the Channel by Lieutenant Morgan, R.N., the naval superintendent of the company. His Majesty was received on arrival at Dover by the Greek Consul; General Sutton, commanding the garrison; Captain Triscott, R.N., Admiralty Superintendent, &c., and after partaking of lunch at the Lord Warden Hotel, proceeded by special train to Victoria station, London, on the London, Chatham, and Dover Railway. The arrangements at the station at Dover were under the superintendence of Mr. Cox, the station-master, who had charge of the train to London. His Majesty arrived at the Victoria station punctually at six o'clock, the special train performing the journey in two hours and ten minutes.

On arrival at the Victoria station His Majesty was met by his brother-in-law, His Royal Highness the Prince of Wales, and was received by Lord Harris, the deputy-chairman, and Mr. Forbes, the general manager of the London, Chatham, and Dover Railway Company, and proceeded direct to Marlborough-house.

6. EARTHQUAKE IN ENGLAND.—This morning, about half-past three, the central and western parts of England were shaken by an earthquake. Comparing the various reports received from the districts over which the wave of agitation travelled, it appears that the shocks were as nearly as possible simultaneous from Milford Haven to Burton-on-Trent, and from the Mersey to Plymouth. The sky seems to have been clear and the air still, an observation quite consistent with the experience of travellers in countries where earthquakes are most frequent and violent. The shocks were in many if not in most places unaccompanied by any subterranean noise. In all the effects were about the same—the



furniture was shaken in houses, gates rattled, and high buildings oscillated alarmingly, but no actual damage was done. In the case of a vessel at sea, about twenty miles from Milford Haven, which felt the earthquake, the captain says that the ship reeled as if she had struck on a rock.

A zigzag line drawn from Liverpool through Derby, Wolverhampton, Birmingham, Worcester, Hereford, and Taunton, to Exeter, would seem to mark the course along which the main shock proceeded. The shock seems to have been general throughout a large stretch of country, embracing South Staffordshire and parts of Warwick and Worcestershire.

— THE LORD-LIEUTENANT OF IRELAND AND THE EARL OF LEITRIM.—On the occasion of the Lord-Lieutenant making a journey through the extreme western part of Ireland, he was refused accommodation at a little inn belonging to the Earl of Leitrim, at a place called Maam, in Connemara, in consequence of orders given by the Earl to his tenant the innkeeper, which were contained in the following letter:—

“Galway, October 6, 1863.

“King,—I will be obliged to you to fill the hotel with my tenants forthwith. Let every room be occupied immediately, and continue to be occupied; and when so occupied you will refuse admittance to Lord Carlisle and his party. If there should be the slightest difficulty as to filling the hotel, the occupation of the rooms, my desire is that you will fill each room with the workmen; but you must not admit Lord Carlisle, and consequently the rooms should be occupied previous to his coming there. Any orders you may have received notwithstanding, I rely on your observing my wishes to the letter.

“Yours faithfully,

“LEITRIM.

“P.S.—I will pay for the tenants using the rooms.”

When the vice-regal carriage was within two miles of Leenane, it was met by a police-constable, who delivered a note to Mr. Hatchell, the secretary of his Excellency, who, in reply to the constable, said he would make all right at Leenane. The note, which turned out to be from Mr. M'Dermott, S.I. of the district, conveyed the information that accommodation could not be obtained at Maam, where it was intended the vice-regal party should stop for the night. At Leenane, Mr. M'Dermott conversed with Mr. Hatchell for a considerable time, after which Mr. Hatchell called one of the postilions, and told him that he would be required to go to Cong direct, instead of stopping at Maam. This seemed to be rather unaccountable to the postilions, who stated that it was a very long journey, being twenty miles from Leenane. Mr. Hatchell replied that he was sorry to have to ask them to drive so

far, but he was obliged to do so, as they should go to Cong that day. The horses were then put to, and his Excellency having thanked Mr. M'Keown for his attention and kindness, the journey to Cong commenced. On nearing Maam a large number of persons were collected on the bridge, no doubt out of curiosity. The resident magistrate of Oughterard was on the spot, and a party of constabulary, who paid due homage to the vice-regal party as they passed. As the carriage approached the hotel, Mr. Hatchell stood up and requested the horsemen on no account to stop there, but to pass as quickly as possible towards Cong. The order was obeyed, and they reached Cong after a sharp drive of twenty miles, which was accomplished in three hours. Mr. Burke's hotel was selected as the place at which his Excellency should put up, and every thing possible was done to ensure his Excellency's comfort during his short stay at the town of Cong, which is remarkable for the natural curiosities with which it abounds. Mr. M'Dermott, S.I., drove into Cong at an early hour, and had all the arrangements made for the proper reception of the party. His Excellency thanked the postilions for their good driving, and dismissed them, as he proposed returning per steamer from Cong to Galway.

As soon as this extraordinary act of discourtesy to the Queen's representative became known, it excited a general feeling of surprise and indignation throughout the district. An address to the Lord-Lieutenant, signed by a large number of peers, magistrates, and gentry of that part of Ireland, expressing their strong sense of the impropriety of Lord Leitrim's conduct, and their regret at the insult offered to the vice-regal dignity, was presented to the Lord-Lieutenant. As a mark of the disapprobation of the Crown, Lord Leitrim was superseded in the Commission of the Peace for the counties of Donegal, Leitrim, and Galway. The only excuse offered by the noble Earl for his conduct consisted of allegations as to the prevalence of agrarian outrages and disturbances of the peace, from which he had himself been a sufferer, and the responsibility of which he imputed to the lax administration of the law in Ireland under Lord Carlisle's government.

13. INAUGURATION OF A MEMORIAL STATUE AT ABERDEEN.—The ceremony of inaugurating the memorial statue of His Royal Highness the late Prince Consort at Aberdeen took place in presence of Her Majesty and various members of the Royal Family. The occasion excited great interest, it being the first on which Her Majesty has appeared in public since her widowhood. The statue, which was subscribed for by the city and county of Aberdeen, is of bronze, by Marochetti. It is placed upon a polished granite pedestal, and represents the late Prince seated and wearing a field-marshal's uniform, with the robe of the Thistle over it. In one hand he holds a scroll, and in the other the field-marshal's hat. Her Majesty arrived by a special train from Balmoral, and was re-

ceived by the Duke of Richmond, the Lord Provost, and city and university officials. Prince Alfred arrived from Edinburgh by a previous train, and there accompanied Her Majesty, Princes Arthur and Leopold, Princesses Helena and Louisa, together with the Prince and Princess of Prussia, and the Prince and Princess of Hesse. Sir G. Grey was the Minister of State in attendance. A procession of carriages was formed to the centre of the city, where the statue stands. Previous to the uncovering of the statue, Mr. Anderson, provost of the city, presented an address from the committee of subscribers, in which they refer to the honour conferred on that part of the kingdom by the annual presence of the illustrious Prince in the county, and to the fact that Aberdeen, a few years ago (1859), was signally favoured by the exertion of his great talents as President of the British Association at its meeting there. The Queen, through Sir G. Grey, returned a reply to the address as follows:—

“Your loyal and affectionate address has deeply touched me, and I thank you for it from my heart. It is with feelings I should vainly seek words to express that I determined to attend here to-day to witness the uncovering of the statue which will record to future times the love and respect of the people in this county and city for my great and beloved husband; but I could not reconcile it to myself to remain at Balmoral while such a tribute was being paid to his memory, without making an exertion to assure you personally of the deep and heartfelt sense I entertain of your kindness and affection; and, at the same time, to proclaim in public the unbounded reverence and admiration, the devoted love, that fills my heart for him whose loss must throw a lasting gloom over all my future life. Never can I forget the circumstances to which you so feelingly allude—that it was in this city he delivered his remarkable address to the British Association only four years ago, and that in this county we had for so many years been in the habit of spending some of the happiest days of our lives.”

After the address and reply, the Queen was pleased to confer the honour of knighthood upon the Lord Provost, thenceforth Sir Alexander Anderson. Prayer was then offered up by the Principal of the Aberdeen University, and the statue was uncovered in full view of Her Majesty, who, along with the members of the Royal Family, stood in a balcony opposite. She gazed for a moment with earnest emotion on the striking likeness of her late illustrious husband, and then retired. Her Majesty left for Balmoral soon after three o'clock. It rained heavily throughout the day. There was no cheering and no display of flags, except on the shipping; but dense crowds lined the streets.

The Lord Provost of Aberdeen afterwards had the honour to receive the following communication from Sir George Grey:—

“Balmoral, Oct. 16, 1863.

“My Lord Provost,—I have received the Queen's commands to

convey to you the expression of Her Majesty's entire approval of the arrangements made for the inauguration of the statue of the Prince Consort at Aberdeen on Tuesday last. The Queen fully appreciates the consideration which was shown for her feelings by those who took part in the ceremony, and by the inhabitants of Aberdeen generally, on an occasion which was one of severe and painful trial to Her Majesty, notwithstanding the mournful satisfaction which she derived from the marks of esteem and affection universally shown for the great and good Prince, whose loss to herself and to the country is a constant and undiminished cause of the deepest grief to Her Majesty.

"I have the honour to be, my Lord Provost,

"Your obedient, humble servant,

G. GREY."

— TAMWORTH ELECTION.—The polling for the choice of representative of this town in Parliament took place. Party feeling ran high, in consequence of a number of the constituency taking umbrage at what they considered an improper interference of Sir Robert Peel in the interest of Mr. Cowper. An affray of a somewhat remarkable character took place between Sir R. Peel and a Mr. Bradbury, an active supporter of Mr. Peel. Sir Robert was conducting one of Mr. Cowper's voters to the Town Hall, when he was hustled by the mob, and, in forcing his way through, he appears to have accidentally upset Mr. Bradbury over a coal-scuttle. The latter immediately arose and struck Sir Robert on the arm with his walking-stick. The police then interfered, and, after some explanation, Sir Robert apologized to Mr. Bradbury for any personal inconvenience he might have caused him. Sir Robert Peel subsequently, in passing through the crowd about noon, was hissed and hooted, and although accompanied by a body of police, one of the mob threw a quantity of nutshells over him. About half-past four the Mayor, amidst loud cheers, officially declared the poll—Mr. Peel, 224; Mr. Cowper, 167; majority for Peel, 57.

17. FATAL COLLIERY EXPLOSION IN SOUTH WALES.—An explosion, which resulted in the loss of thirty-nine lives, occurred at the Morfa Colliery, Margam, Glamorganshire, three miles from the Port Talbot station on the Great Western Railway, and about eight miles from Neath. It is situated on the estate of Mr. Talbot, the Lord-Lieutenant of the county, and is worked by the Messrs. Vivian and Co. Generally, there are from 800 to 1000 men employed in the pit, or dependent on work connected with it. The underground workings extend for miles, and every day about 600 tons of coal are worked, which are shipped either at Port Talbot, Briton Ferry, Neath, or Swansea. The coal is bituminous, being part of what is known as the south crop of the Vale of Neath coal basin. The pit is between 110 and 120 fathoms deep, some of the levels being as much as 900 yards from the shaft. The colliery is



ventilated by means of a furnace. There are two shafts, the up and the down shaft; and, in order to add still greater security, the colliery was worked entirely with locked safety-lamps. At the time the accident occurred there were about 400 workmen in the colliery. The immediate scene of the calamity is the west side of the nine-foot seam, which is about 500 yards from the bottom of the shaft. There were forty-three men and boys working in this heading at the time of the explosion. It was soon known that a serious accident had happened in the pit, and long before any of the workmen were able to ascend to the surface a large crowd of anxious relatives and friends had assembled around the mouth of the pit. The old nine-foot vein in which the explosion took place is the one to which the most damage is done; the other parts of the pit seem to have been but slightly, if at all, injured. In the nine-foot vein, doors and airways were found to be blown down, while there were such extensive falls of roof and rubbish as to render it exceedingly difficult to reach the bodies of those thus buried—in fact, the whole of the timber in this heading had to be reset before the bodies could be got at. The foul gases or choke-damp having been partially cleared off, a number of workmen volunteered to go down the pit to render what assistance they could to their comrades, and risked their lives to rescue the nearly expiring sufferers: in one or two instances their exertions were crowned with success. Mr. William Grey, the manager, was in the heading when the explosion occurred. He was rendered insensible by the gas; but in a few moments recovered consciousness, and laboured to bring some of the workmen to a place of safety. Mr. Thomas Evans, the Government Inspector of South Wales, was on the spot within a few hours of the explosion, and instantly descended the pit and rendered valuable aid. No cause could be positively assigned for the accident, but there is every reason to believe it arose from the criminal act of one of the workmen picking his lamp for the purpose of getting a light.

## 22. THE PRINCE OF WALES PRESIDENT OF THE SOCIETY OF ARTS.

—At a meeting of the Society of Arts the by-laws were suspended, in order that the Prince of Wales might be elected, first, a member, and then the President of the Society, vacant by the death of Mr. Tooke, who succeeded the Prince's father. The following is the reply of His Royal Highness that he would allow himself to be elected, and which was read to the meeting:—"Gentlemen,—I thank you for your address. It is not without much diffidence that I venture to take on myself the office that has been offered to me in so flattering a manner, feeling that there are so many better qualified for it than I can pretend to be. But it is the Queen's wish, being herself precluded from taking part personally in the proceedings of your society, to mark, through me, the interest she feels in a body of which her beloved husband was so long the head. On my part, I am led to entertain the hope that, by accepting the situation of your President, I may be better able to promote the

great and beneficent objects which my dear father had so much at heart, and in which he was so zealously supported by your society. Encouraged by this hope, and having no dearer wish than to assist in any way in my power towards the success of his great designs, I cannot refuse to accept the position so kindly offered to me." The motion to elect the Prince was carried by acclamation.

27. ESCAPE FROM MILLBANK PRISON.—One of the most daring and ingenious feats of prison-breaking ever accomplished, was performed by a prisoner named Martin Sheen. He was a surgeon by profession, a Roman Catholic in religion, and was sentenced to ten years' penal servitude for forgery about eighteen months ago at the Central Criminal Court. It appears that after his conviction he was removed to Pentonville, where he made certainly one, if not more attempts to escape, and was removed to Millbank for more safe custody. During the time he has been at Millbank he has made nearly a dozen attempts to escape. On one occasion, indeed, he had reached the roof of the prison, when he was detected, and for some time after kept heavily ironed. On that occasion he had in his possession a large knife, and it remains a mystery how he became possessed of it, as he had been in prison for some months, and, according to the regulations, had been regularly searched and stripped twice in each week, the cell examined twice every day, and a search also made when he went out for exercise in the care of a warder. The windows of the prisoner's cell are about thirty-eight feet high, and it seems he managed to remove a number of bricks from one of the corners of the cell, making a hole large enough for him to get his body through. He had provided himself with a rope made of cocoa-nut fibre, probably from the matting in the chapel. At the end of this rope was a hook fashioned out of the wire by which the tin drinking-mugs are fastened round the rim. From the aperture he had made in the corner of his cell he lowered himself down about twelve feet on to the roof of a building called the general ward. Here he possessed himself of a piece of board six feet long by nine inches wide, one of the tables, and also all the sash-lines from the windows. With these things he returned to his cell. He used the table for a platform, and from it threw the hook end of the coir rope up to the gutter. By the aid of a bag of sand, which he had probably gathered from the allowance made for cleaning out the cells, he gave weight to his hook and secured it to the gutter noiselessly. He must then have pulled himself up by the coir rope, taking the sash-lines with him. This brought him to the roof of the main building, and, fastening the sash-line from one of the chimneys, he lowered himself down into the garden. Safely there, he made for the boundary wall, which is from twenty feet to twenty-five feet high, and again making use of the coir rope with the hook and sandbag, reached the top of the wall, let himself down on the other side, and left the coir rope hanging there behind him. He had then only to cross the vacant piece of ground outside the building, get over some iron railings, and, as he undoubtedly,

did, make his escape. This daring escape was from E ward in the 5th sexagon, the one that faces towards Ponsonby-place, and for coolness of execution and determination has hardly been surpassed.

28. MURDER AND INSANITY.—(*Central Criminal Court. Before Mr. Baron Martin and Mr. Justice Willes.*)—Sarah Emily Mitchell, a young woman of twenty-four, was arraigned on an indictment charging her with the wilful murder of her illegitimate child, Sarah Emily Adeline Mitchell.

Mr. Clerk and Mr. Beasley, instructed on the part of the Crown, were counsel for the prosecution; the prisoner was defended by Serjeant Shee and Mr. Sleigh, the former of whom had been specially retained.

The position of the prisoner, especially in relation to the father of the child, with the murder of which she was accused, was explained by Mr. Clerk in opening the case to the jury. She was a single woman, he said, and had of late assumed the surname of Mr. Frederick Chappell, whose acquaintance she had made in Liverpool, and with whom she had afterwards cohabited. She entered his service in 1859 as housekeeper, and, an intimacy having sprung up between them, in June, 1862, she gave birth to an illegitimate child, the one in question, and which was registered in the name of the father. She had come to London with him in the summer of that year, and he engaged lodgings for her in the Marylebone-road, where she afterwards gave birth to another child, which was stillborn.

Mr. William Cathrow, a surgeon, at 42, Weymouth-street, said he knew the prisoner. He first attended her on the 4th of April last, and up to and after her confinement on the 30th of that month. He saw her on the day before her confinement, and after that he attended her up to the period of her committing the act with which she was now charged. About twelve o'clock on Friday, the 31st of July, he attended her, having made a special appointment to meet Mr. Byam, another surgeon, there. Something had occurred to make that appointment necessary. She had said if she was not on friendly terms with Mr. Chappell she should be induced to do something wrong to herself and the child. When they saw her on the Friday she was lying on the sofa with a Bible in her hand. Mr. Byam and witness had some conversation with her regarding her treatment of Mr. Chappell. That and a consultation lasted about twenty minutes. On their leaving she promised them to be calm, and to cease to annoy Mr. Chappell. On her saying she would do something to herself and the child, witness attempted to convince her of the impropriety of such an act. She replied she would try to think well of what he had said. Something had been said about a settlement. He told her if she would try and be comfortable and happy he would endeavour to get a handsome settlement made upon her. She was excessively jealous of Mr. Chappell, particularly in reference to a Welsh woman, whom she said he was keeping. Witness then left. A little after four

also had a letter from him, and spoke to her about it; but she was so distressed by the one which she had received, and which had almost driven her mad, that I did not show her mine.

The letter, the envelope of which bore the date of the 25th of June, was put in and read, as follows:—

“Dear Elizabeth,—I am sorry to have to tell you, after what has occurred between you and your sister within the last few days, her violence has been such that I have become hopeless of our ever getting on comfortably together, and I have written to her to say that a separation must take place between us, for I am convinced that it is the best thing for her as well as myself. With this view my solicitors will call to-morrow morning to confer with her as to my making a proper settlement for you all, for I am resolved that neither your sister nor yourself shall ever want for any thing. If you would like to see me again upon any matter, I should like you to come to the office, and if you will let me know previously, I shall take care to be in the way to receive you, and talk matters over with you. You and your sister, with baby, will then be enabled to live wherever you like, though it must be somewhere where I can see the child occasionally. I am sure you will never forsake baby, and that you will do your duty to the poor child; give her a kiss for me. It will not be so bad for you. Your sister is now provoked. I think you will be able to go on more comfortably, even as far as you are concerned, and you might live at some nice healthy place, such as Brighton.

“Believe me, yours sincerely,

“FREDERICK CHAPPELL.”

Witness continued.—After that she became still more excited. I remember Mr. Wilson, a solicitor, calling to see her. I left the room when he came, and shortly afterwards the bell rang. I returned and found my sister fainting, and Mr. Wilson supporting her. Previously to the death of the child she went to Liverpool for a few days. While I was absent at Covent-garden she had taken off the child's day-dress, and put on its night-clothes. She had laid out another night-dress for the baby. Her own clothes were all locked up, and she had hidden the key. After the letter of the 25th, and after Mr. Wilson's visit, Mr. Chappell came to see her, but not again.

Mr. W. J. Byam, a surgeon residing at Welbeck-street, Cavendish-square, gave evidence corroborative of that of Mr. Cathrow as to the state of the prisoner's mind towards the end of April, and stated that after her confinement she laboured under a form of insanity.

Dr. Thorne, a physician of twenty years' practice, said he had had his attention directed to persons suffering under aberration of mind. He attended the prisoner in her first confinement, in June, 1862. She had a very tedious labour, and suffered very much from hysteria afterwards. He succeeded in getting her well by



giving her opium. Her mind was then wavering. He advised that she should be sent home to her friends, and that she should not again cohabit with Chappell. He was positive that if she became again in the family way, either her body or mind would give way. At the time she was removed to Newgate upon the charge of having murdered her child she was in a state of suicidal mania. She laboured under several illusions, one of which was that her child was about to be taken away from her, which was not the fact.

Mr. Baron Martin here consulted with Mr. Justice Willes, and said that, although the question in this case was entirely for the jury, he himself had no doubt about the matter. Dr. Thorne had just stated that the prisoner was in a state of suicidal mania in Newgate, and that she previously laboured under hysteria, producing a form of insanity. The question was, could she have been in a responsible state of mind, answerable for her actions, at the time she fatally wounded her child?

Mr. Clerk said he had other evidence to produce, which would still more fortify that given by Dr. Thorne, some of the witnesses stating that she laboured under the illusion that soldiers were walking in her room.

Mr. Baron Martin, addressing the jury, said the prisoner was accused of murder, and that if she was not guilty of that offence, she must be acquitted on the ground of insanity. There appeared to be no doubt that she had been guilty of the murder of her child, to whom she was fondly attached,—in other words, of unlawfully killing; and the question depended altogether upon the state of her mind at the time. It was for the jury to say whether they wished to listen to further evidence, or whether they desired to hear Mr. Serjeant Shee.

The jury consulted together for about a minute, and then returned a verdict of "Not Guilty," upon the ground of insanity.

## NOVEMBER.

2. STARVATION OF A FAMILY.—A respectable family, carrying on a school at No. 45, De Beauvoir-square, West Hackney, were plunged into a state of the greatest destitution through the failure of the school, and recently an execution was put into the house, when all the furniture and effects were carried away. A short time ago, one of the children, Macaulay Josiah Brewer, aged twelve years, was found by Dr. Kitchen lying without covering in a room without furniture and without fire, and dying from, apparently, the want of food and comfort. Death soon after put an end to his

sufferings. Mr. H. Raffles Walthew, deputy coroner, held an inquest upon the body, at the Waggon and Horses Tavern, De Beauvoir-square, and so great was the sensation which the sufferings of the family had made in the neighbourhood, that not only was the court crowded, but several hundred persons gathered in the street outside. Mrs. M. Brewer, 45, De Beauvoir-square, deposed that deceased was her child. About three weeks ago he was taken with a cold. She noticed a change come over him, and she was about to send for a doctor, when he was taken with a fit and died soon after. Witness had had a family of twelve children, five of whom were living with her. The eldest of the latter was eighteen years old, and had assisted in teaching in the school. They had taken the school last December, but it had failed. A month ago an execution was put in and every thing removed. Dr. Kitchen said he was called in when deceased was dying. Death resulted from water being effused on the lungs, from the effects of want of food and of exposure. The child's lying as he found him, in a room without fire, and when reduced to the last stage from privation, was sufficient to cause death. The family were miserably poor, and were on that account unable to call in a medical man in time to save deceased's life. Sarah Hubbard, 41, De Beauvoir-square, said that the family had been for some time past in great trouble and want. Mr. Josiah Brewer said that he was a schoolmaster. He took the house last Christmas, and had about twelve scholars. He only had a few shillings a week—not more than 10s. to keep five children with. When the execution was put in the school was upset. He did all he could for deceased. None of the family had bedding or clothing. Mr. Williams, coroner's officer, said that he found the family in the house without as much as a chair or stool to sit upon. Deceased lay on the floor dead, with the bones almost coming through the skin. The coroner said that a more dreadful case of suffering he had never seen. The parents ought to have applied for relief to the proper quarter, instead of attempting to conceal their deplorable condition. If a doctor had been called in before, deceased might not have been sacrificed. The jury returned a verdict of "Death from effusion on the lungs, caused by want of food," adding "that the parents showed neglect in not calling in medical aid for the deceased before his death." The coroner, the jury, and the Rev. S. Finch, the incumbent of the district, raised a subscription, which amounted to 4*l.* 13*s.*, for the unfortunate family.

3. CONSECRATION OF THE NEW GARRISON CHURCH AT WOOLWICH.—For many years the only place of worship for this important garrison has been a small and incommodious building; and the late Lord Herbert, on the part of the Government, eagerly entered into the project of building a new church, which should be adequate to the wants of the garrison, and himself settled the plans, and fixed the site. Messrs. Wyatt were entrusted with the designs, and produced an edifice which may serve as a

model for such churches at our principal military stations. Calculated to accommodate 1600 persons, it is of handsome dimensions, and constructed mainly of brick and stone. Both externally and internally it is distinguished by a reality of structure and evident permanency, which give it a thoroughly monumental character. Iron has been freely used, and in the connexion of its essential forms with those of brick and stone great skill has been displayed. The War Department has spent 18,000*l.* on the solid portion of the church, but the mosaics, stained glass, encaustic tile-work, and paintings, with which it is abundantly decorated, have been principally paid for by the subscriptions of the officers of the Royal Artillery, amounting to close upon 2000*l.* The east window, in five compartments, is designed to commemorate the services of this distinguished corps in the Peninsular and Crimean wars; the west window has been given by Lady Herbert in memory of her husband, and already promises have been received for seven of the side windows. The fine organ, by Bevington, is the gift of the officers, and an exquisite stone pulpit and font have been contributed from the same fund. It is gratifying to know that the soldiers in garrison have shown the greatest interest in the progress of the church, and they were present in large numbers at the consecration. The ceremony was performed by the Bishop of London; and among the congregation were the Duke of Cambridge, as Colonel of the Royal Regiment of Artillery; Earl de Grey and Ripon, Secretary of State for War; Lord Sydney, Lord-Lieutenant of the county, and Lady Sydney; the Quartermaster-General; the Adjutant-General; the Chaplain-General; Sir Richard Dacres, Commandant; and most of the principal officers in the garrison. Prince Arthur was prevented from attending by the indisposition of Major Elphinstone. The Chaplain-General and the Rev. Mr. Hare, the Senior Chaplain of the station, also took part in the service. The chants were magnificently given by the choir selected from the bands of the Artillery and young women attending the various schools connected with the regiment. The Bishop of London preached an excellent sermon, and after the conclusion of the service a numerous company was entertained at luncheon by the officers of the garrison.

—MARYLEBONE POLICE COURT.—GREAT JEWEL ROBBERY BY A LADY'S MAID.—Jane Henderson, aged twenty-six, lady's maid to Miss Emily F. Domville, 3, Connaught-place, was charged with stealing jewellery, consisting of rings, watches, and lockets, value nearly 2000*l.*, the property of Mr. Hancock, the jeweller, of Bruton-street, also other jewellery from Messrs. London and Ryder, of Bond-street. Miss Domville was in the habit of sending to Mr. Hancock for jewellery, and the articles required were brought by one of his men, and sent up to her by the prisoner. On several occasions rings were missed, and a detective officer was employed, who went to Miss Domville's house and took the prisoner into custody. In her room a great number of the lost articles were

discovered, value about 800*l.*, upwards of 200 pairs of gloves, and money in gold and notes to the amount of 273*l.* Since the discovery of the robbery, Messrs. Hancock had taken stock, and as far as they could ascertain at present they were over 2000*l.* worth of jewellery deficient. The relations of the prisoner were jewellers, and it had been discovered that she was in connexion with a young man who was a jeweller.

A second case was then gone into, showing that jewellery had at various times been taken for inspection to Miss Domville from Messrs. London and Ryder, and had been sent up by the prisoner, and that a number of articles had been missed. One ring in particular had been stolen, which was worth 140 guineas. About 1500*l.* worth of jewellery found in the prisoner's possession was produced.

The prisoner was committed for trial on both charges. At the ensuing session of the Central Criminal Court she was brought up to be tried, when she pleaded guilty, and was sentenced to a long term of imprisonment.

7. SHOCKING MURDER IN A CAB.—Between eight and nine o'clock in the evening, a cab was hired at the Shoreditch station of the Great Eastern Railway, and a man and a woman, accompanied by two little girls, got into it. In Bishopsgate-street the man stopped the cab at the Green Dragon public-house, and told the driver to get him some half-and-half. The driver complied, and the liquor was drunk by the persons in the cab. The driver had been ordered to go to the Royal Oak, Westbourne-grove, by way of the City, and after the stoppage just mentioned proceeded on his journey. In Holborn he was again checked. The man got out of the cab, paid the driver his fare, and told him to take the lady to her destination. On arriving at the Royal Oak and opening the door of the cab, the woman and the two children were found to be dead. The bodies were taken to an hospital, where the surgeon in attendance expressed a strong opinion that they had been poisoned by prussic acid, which it is supposed had been mixed with the beer. A reward of 100*l.* was at once offered for the apprehension of the man. It was not long before he was discovered.

A letter-carrier at Camberwell, named Prescott, had read in the papers an account of the circumstances connected with the murder, and as he remembered having seen a neighbour, named Hunt, enter his house alone on the 8th, the thought crossed his mind that Mrs. Hunt and her children might have been the victims, especially as the description circulated by the police applied closely to them. He communicated his suspicions on the next day to the police, who at once went to the house, which is one of a row called St. Ann's Cottages, Wellington-street, Camberwell-road. They found the door bolted, but succeeded in obtaining admission, and met Hunt in the passage. They followed him into a room, where he sank into a chair. The police told him what their object was; and Hunt said, in reply, "I cannot speak to you. I have a pain, a disease of the heart." The inspector and his colleague saw that



the man was in a dying state, and they had him at once removed to the Camberwell Police-station, and obtained the immediate assistance of two medical gentlemen residing in the district; but within three-quarters of an hour after the first interview the police had with him he died from the effects of aconite, which he no doubt took as soon as he was aware of the presence of the police at his door. The letter-carrier afterwards identified the dead bodies as those of Mrs. Hunt and her children. The cabman also at once identified the body of the man. The man was thirty-four years of age; his name was William Samuel Hunt, but he was in no way related to Mr. Hunt, the chemist of whom the zinc ointment which was found in the woman's possession was purchased. Hunt was a traveller in the employment of Messrs. Butler and M'Culloch, seedsmen, herbalists, and druggists, of Covent-garden, and in that capacity seems to have obtained some knowledge of herbs. For the pursuit of that knowledge he fitted up a small laboratory in his house. He and his wife were constantly quarrelling, and at times they appeared to be very wretched. He had been heard on more than one occasion to say he would "do for his wife and children one of these days." Hunt was at his usual business on the 6th, and before going away he stated to his employers that he wished for leave of absence the next day in order to take his wife and children out of town. The permission was granted.

An inquest was held by Dr. Lankester on the 9th upon the bodies of the woman and the children.

Edward Wynne, of 12, Mornington-street, Marylebone, was called. He described himself as a coachman, and said he was standing at the Royal Oak, Westbourne-grove, Paddington, at about a quarter past nine on Saturday night, when a cab drove up with the Eastern Counties Railway arms on it, and he thought he knew the driver. He stepped up to the cab and opened the door. The driver said, "I think I have got a queer job here, for there is a woman at the bottom of the cab." He looked in the cab and saw a woman lying in the bottom of the cab sideways on a child. He lifted her up, and told the cabman to take the child, and he took it in his arms. He (witness) said the best thing to be done was to call a policeman. He went to look for one, and when he came back there was one present. He thought at first that the woman was drunk. He lifted her out of the cab and found there was vomit on her clothes. There was a hat-box in the cab. When he came back from looking for the police a doctor was present, who looked at the bodies and said they were dead.

James Parker, Queen-street, Chester-street, Bethnal-green, said he was a cab proprietor, No. 220. He drove a Great Eastern cab. He was at the railway in the early part of Saturday, at the Great Eastern Railway, and left the last time about twenty minutes past eight. He had been on the stand there about half an hour. He was waiting for the nine o'clock train. A man, a woman, and two children came down from the departure side of the station.

and hailed him. He could not tell what train they came from. Passengers coming up from Epping would be put down on the other side of the station. The man hired him to go to the Royal Oak, Bayswater. None of them spoke, but got into the cab. He ordered witness to go into the City, and when he got into Bishopsgate-street he ordered him to pull up at the Green Dragon, and asked him to get down and get him a pint of the best half-and-half, and to have what he liked for himself. Witness took three halfpenny-worth of gin. He got it from the landlord, and gave it to the man inside, and went to the horse's head while they were drinking it. He gave witness a shilling to pay for it. When the man had done with the pot he called to witness to take the pot back. No conversation took place then. He put the pot out of the window before he came up, and turned it upside down, and he heard something fall on the pavement. It did not sound like any thing solid, but only like something wet. The cab door was close at the time. He saw the two children sitting in the front seat at that time, and the woman and man on the back seat. He did not see them drink any thing. He put the pint pot on the bar of the Green Dragon. The man ordered him to go through the City by Cornhill, and at the top of Holborn-hill he put his head out of the window and said, "Hold hard, cabby, I will get out here." He had opened the door himself, and had got out by the time he had pulled up. The man said, "What is your fare, cabby?" Witness said 4s., and he said, "All right, cabby, there is 6*d.* for yourself; go on, and take them all to the Royal Oak." None of those in the cab spoke then. The man stood about five feet five inches, not very stout, black whiskers and moustache, and beard; the whiskers not very full, low down, but the moustache very thick and bushy. He looked like a foreigner, but spoke like an Englishman. He had on a black frock coat and light trowsers. He looked like something of a chemist. He did not look like a gentleman, but did not look like a clerk. He did not look like a mechanic. He walked away. He walked away slowly down towards Holborn. Witness then went away to the Royal Oak, and stopped opposite the door and got down. He saw the last witness before he got down. He opened the door himself, and said to last witness, "Look here, here is something very queer." Before he said that, he saw the children and mother of the children lying in the cab. He could not see her face, for she was lying on it, with one of the children in her arms. He saw the leather hat-box in the cab, and saw the policeman pick up a shilling and a purse. Witness said, "For God's sake fetch the doctor, there is something wrong here." He had then got the child out, and a doctor being near he placed it in his arms. It seemed dead then. There was a lot of people around. The woman seemed dead, and her head was thrown back. The doctor was the first person who rendered medical assistance. He drove the deceased to the hospital under direction of the police. He did not say to the last witness that

there was a queer job before he looked into the cab. He did not look into the cab until he got down. The last witness did not open the door before he got down.

Thomas Jones, 274 D, said he was on duty at the Royal Oak about twenty minutes past nine, when some civilian crossed over to him, and said, "I think you are wanted over the way; there is something wrong in a cab." He went across and found fifteen or sixteen people there, amongst whom was a surgeon, who said they were dead. The surgeon's name was Kiallmark, of 46, Prince's-square, Westbourne-grove. They were warm, and he did not think the eldest was dead. He got into the cab, and told the man to drive to St. Mary's Hospital, where they were taken out. He then searched the cab, and found a leather hat-case, in which were cakes and figs. In the cab he found a man's new cloth cap, lined with silk and leather, apparently bought within a few days. It was snuff colour, and had a private mark upon it. The mark was 7 $\frac{1}{8}$ , but there was no number on it. It was not black, but brown, with a very narrow black stripe round it. It was what was called Angola. There was the skirt of a lilac cotton dress, two pinafores, a pocket-handkerchief with initials not distinct, and a black wrapper. He found in the bottom of the cab a portemonnaie with steel binding, in which there were 4s. in silver, 5 $\frac{3}{4}$ d. in copper, and two postage stamps, and there was 1s. at the bottom of the cab. The silver in the portemonnaie was a half-crown, a shilling, and a sixpence. When he examined the things on the table at the hospital, he discovered a cork. It might have been taken with the things out of the cab. He did not know whether that might not have been on the table before he placed the things there, but he did not see it. He handed it to the surgeon, but he said there was no poison on it. He saw some vomit on the back of the cab which was like white paste, as if they had eaten some of the cakes and vomited them.

Mr. C. Pearce Combes, the house surgeon, said he was on duty about a quarter past nine on the night in question, when the cab arrived with three dead bodies. He examined them. They were quite dead. He smelt the mouths of the mother and the youngest child, and the smell was particularly strong in them. That smell was less marked in the elder child. There was no spasm about the bodies. He examined the eyes of the mother, and the pupils were not contracted. There was nothing remarkable about the eyes of any of them. Some fluid came from the mouth of the mother, which had an intense smell of prussic acid, and also smelt of beer. He assisted Dr. Saunders at the *post-mortem* examination afterwards made. The day after they were brought in he found a slight bruise on the arm of one of the children, and also on the arm of the mother. A box of ointment, which was found in her pocket, had evidently been used for her sore foot. The sore was on the instep of the mother's foot. The *post-mortem* examination took

place forty-two hours after death. The brain was congested, and the intestines smelt strongly of prussic acid. There was about half an ounce of fluid in the bag of the heart, lungs healthy, liver nothing observable. The stomach had not been opened. The kidneys much congested; the other organs were healthy. He smelt prussic acid in opening the child, but very slightly. The stomach was tied and removed. In the second child there was a much stronger smell of prussic acid. The age of the woman appeared to be about thirty-five years, the elder child about seven years, and the younger about four. He assumed that the woman was the mother of the children, as she bore signs indicative of parturition, and the sign of a ring on her finger. There was a striking likeness between the mother and children. There had been no examination as yet of the stomachs of the deceased.

The coroner recommended the hospital authorities to keep the bodies as long as they could for identification.—Witness, in reply to the coroner, said he had applied tests to the liquid which came from the mouth, and it gave signs of prussic acid, but not sufficient to enable him to speak positively.

Mr. G. H. D. Mahon, a house surgeon, said he was present when the bodies were brought in. He opened the dress of the female, and found a small bundle in her breast. It consisted of a child's night-shirt and glove, and the box of ointment alluded to. The label outside was "William Hunt, Camberwell," printed, and "zinc ointment" written on it.

Henry Beard, police-sergeant, detective force, said he received the box of ointment referred to. He took the box to Mr. Hunt, of Camberwell-gate, and saw him. He asked him whether that box had been purchased of him, and he said he would swear it had, because it was his handwriting on it. He examined the box, and said it had not been out of his possession three days. He knew nothing about who purchased it, but thought it most probable to have been a woman.

Mr. George Thomas Parsons said he kept the Green Dragon, Bishopsgate-street. Between the hours of eight and nine on Saturday, the cabman, Parker, called for a pint of half-and-half. He served him with it, and then with some gin, for which he tendered a shilling. He took the beer out, and witness looked out over the bar to see that he went to the cab. The man was looking out of the cab window, and he saw his face. He was a dark man with a full beard, and unshaved. He saw nothing more of him. The pot in which he served the beer was used afterwards during the evening.

Inspector George Mackerell, of the D division, said he had examined the clothes of the children and woman. On the inside of the tongue of one of the children's boots the name of "Nicholls" was written in ink. On the other child was found a handkerchief marked "E. M. M."



The jury returned for their verdict, "That Mary Anne Hunt was found dead in a cab from the effects of prussic acid, which was administered to her maliciously, and with intent to take away her life, by William Samuel Hunt." The same verdict was given in the case of the two children.

An inquest was afterwards held by Mr. Carter on the body of William Samuel Hunt.

The coroner, in opening the proceedings, said they were met to inquire under what circumstances the deceased, William Samuel Hunt, had come by his death, and what condition of mind he was in when he committed the act which terminated his life. He had received a letter before he left home in the morning which the gentlemen of the jury would be good enough to read, and then decide as to whether it would be necessary to send for the writer of it. The jury then viewed the body.

William Meloy, inspector of the P division, said—Shortly after ten o'clock on Monday night, the 9th inst., accompanied by Inspector Smith, I went to Ann's Cottage, in Wellington-road, Camberwell; it is called Camberwell, but is in the parish of Lambeth. We saw no light. Smith knocked at the door, and not receiving any answer, in a very short time he knocked again. At this time no noise had been heard in the house; but after the second knock a noise was heard in the passage like a coughing or belching, and a person moving. Smith then knocked again, and immediately a person from within said, "Who's there?" I said, "Open the door, if you please. I wish to speak to you." I heard him unfasten the chain and open the door. The door was opened, and I saw a man with only his shirt on. He said, "Who are you—the police?" and then made towards the stairs. I said, "Where are you going?" He replied, "For a light." Inspector Smith said, "I have a light," and turned on his lamp. Hunt then said he wanted to go upstairs to his bed-room. The person I have seen dead is the same man. Inspector Smith then went upstairs first, the deceased and I followed. Directly we entered the bed-room he sat on the centre of the bed, and vomited; he had done the same when going upstairs. He said, "What do you want with me?" I said, "Have you read the account of the murder on Saturday last?" He answered, "Yes; I was reading it this evening." I said, "We have heard that your family is not at home." He said, "That is right; my family went to Southampton on Friday." We had previously cautioned him as to what he might say to us. I then said, "You answer the description of the man, and we must take you on suspicion of being the murderer." He said, "How were they dressed?" Smith said, "In dark dresses." He then said, "They can't be my family, as they were all dressed light when they left here." Finding that he continued to vomit, Smith asked him what he had been drinking. He said, "I took a small portion of gin before I went to bed, that I found in a bottle." We told him he must dress immediately, and go with us. He then

dressed, and on the way to the station he said he hoped it was not his family, but he would not be surprised, his wife led him a wretched life, and the children told him some time back that one day when they were out for a walk with their mother they had met a gentleman, who had taken them for a ride in a cab. He was very kind, and was much like him, only that he had a moustache. On arriving at the station, Dr. Puckle was sent for; and Dr. Massey, of Camberwell, attended shortly after Dr. Puckle. Deceased was then getting worse, but was perfectly sensible. The colour of the vomit was light. Dr. Puckle asked deceased what he had taken; but previous to this he had recognized Dr. Puckle as having attended his wife, and recalled the fact to his mind by saying, "Don't you recollect me? You attended my wife in her last labour; she lay on a mattress, as we had been moving, and had not arranged the furniture." Dr. Puckle said he remembered it, and the deceased then said, "I shall get round directly; my heart is affected, as I have been much excited." He was much excited, and was still retching. Dr. Puckle then tried to administer an antidote, but the first he did not swallow, but he said he would the second. He told the doctor that he had only taken a drop of gin that evening, from a bottle in the house. As he appeared to have a disinclination to take the emetics, witness held his head back whilst the next was administered. After this he said, "I am dying; let me lie down." He then lay down and closed his eyes, and in a short time said, "I'm better now; lift me up; I lost my eyesight then for a short time, and could not see; now I can see very well." He then walked about for a short time, but staggered, and we assisted him to a chair, when he said, "I am dying fast." All at once he started to his feet, and said, "I want to write something before I die. Give me pen, ink, and paper. I hope I shall live to finish it." [He then wrote a note to Mr. M'Culloch.] He said, "I wish you to take charge of that, and see to it. Mr. M'Culloch owes me the money. It is eighteen months' back wages. I wish the 40% I have in my pocket to be given to my wife and children if they are alive." Finding that he staggered away from the desk, he was assisted to a chair. He appeared to become very faint, and requested to be placed on the ground, as he was dying; and after being there for a very short time he appeared to be dying; his eyes drooped, and then he appeared to rally, and said, "I know how she died; she took prussic acid." I said, "Your wife? Where did she get it?" He said, "In the house; I had it in the house." These were the last words he spoke, and died shortly afterwards.

By the Coroner.—The doctor said, "What have you taken yourself?" after the deceased said he had the prussic acid in the house. He said, "I think there was something else in the glass. I think it was aconite. I believe I have taken aconite." On searching his house I found in a cupboard in the bed-room a small bottle,

containing a fluid which I think is aconite. I did not find a stopper of any kind in the room.

George Puckle said he was an officer of health, and a Member of the Royal College of Surgeons, living at Denmark-hill, in the parish of Lambeth. He continued—Last Monday night I was called, a few minutes after eleven o'clock, to the police-station, when I found the deceased man Hunt seated in a chair, retching violently. His countenance was pallid, the eyes having a remarkable appearance, the pupils being very much dilated. I felt his pulse, which was scarcely perceptible, and the action of the heart was extremely feeble. His breathing was regular, but quiet. I asked him what he had taken. He said, "Only some gin." I said, "Something more than that." He said, "No." I could not detect any effluvia from his mouth. The retching was excessive and spasmodic. At that time I felt satisfied that he had taken poison. When I first saw him I attempted to administer an emetic of sulphate of zinc and water. He objected to take it. I said, "Come, come, Hunt, you know me, and must take it." He allowed his mouth to be completely filled, and then jerked his head, spitting it all out. Having provided myself with a second emetic, I took care that he swallowed it. This acted, and apparently he ejected all that had been given him. He then said, "Oh! my heart." I moved him up in order to see if he could stand and walk. He staggered across the room, almost going against the wall, apparently without the use of his arms. I asked him again what he had taken, and he still said only some gin. I said, "Was it in a usual bottle?" and he replied that it was a six-ounce bottle. He then appeared to sleep, but awoke almost immediately, saying, "I have had such delightful dreams;" his eyes at the time having a startling and fixed expression. I asked if he had any poison in the house, and he replied, "I procured prussic acid a short time ago, intending to destroy myself. I walked about for nights, I felt so miserable; but it is not in the house now, my wife must have taken it with her when she went into the country on Friday." Some one then asked him if he had taken prussic acid, and he answered, "No; or I should not have been here now," showing his knowledge of the action of the drug. I asked, "Had you any other poison?" and he replied, "Yes, I had a packet of opium." I again said, "What have you taken?" and he said, "I might have taken aconite; I think it was." He lived about a quarter of an hour after that observation.

By the Coroner.—I have not seen a case of poisoning by aconite, but I believe that his death was through taking it, from the general effect during his illness. I subsequently saw the first vomit, which was light. I received this bottle (produced) from Inspector Meloy. It contained about two drops of liquid, the colour of sherry, which I am quite satisfied is aconite. I tasted it. It produced a tingling sensation, and complete numbness of the tongue. Aconite is an extract of monkshood, which is a very deadly poison.

I consider that a very small quantity would produce death, and that was evidently a strong tincture of the drug. I made a *post-mortem* examination on Wednesday. Mr. Carr was present, as well as Mr. Holland Massey, the former gentleman by direction of the Commissioners of Police. The body was well formed, good muscular development, with rigidity of the muscles. On opening the head, the brain was firm and quite healthy; there was a fulness of the blood-vessels, more so than usual; the ventricle contained very little fluid, and there was no extravasation at the base of the brain. On opening the chest the right side of the heart was greatly distended with dark blood in a fluid state. The left side was contracted and empty, and the structure healthy. The vessels connected with the heart were healthy, as were the lungs. The liver and spleen were also healthy, and the bladder contained a small portion of water. I removed the stomach entire for the purpose of analysis. On opening it, it presented the following appearances:—Great capillary congestion at the greater end, that portion being of a bright red colour; there were marks of irritation and separation of the mucus coats, and a highly corrugated condition of the whole of the members; the contents consisted chiefly of blood and mucus. I have analyzed the contents of the stomach and matter first vomited. In the stomach I found the presence of aconite in small quantities, as I did also in more decided quantities in the vomit.

Adolphus Orlando Riche said he was employed by Messrs. Butler and M'Culloch. Knew the deceased, who was in their service as traveller and shop assistant. On Monday last (he continued), at his request, I furnished him with tincture of aconite, juniper, oil of rosemary, and essence of oil of almonds. He said that they were for customers, and the aconite and oil of almonds would be called for. The bottle of aconite had no label on it, and it was not in the bottle produced. We do not keep prussic acid. Any article that he had wanted would have been supplied to him. No aconite was kept in the shop, or he could have obtained it himself; it was kept in the warehouse. The shop is a wholesale one, to supply chemists and druggists. The deceased was not at the shop on Saturday.

Charles M'Culloch said—The deceased was in my service. His name was William Samuel Hunt, and he was about forty years of age. He had been in my service about three years as traveller and shop assistant. The last time I saw him alive was last Monday, when he was in the shop attending to the business, and remained up to about half-past seven o'clock. His conduct then was as usual; he was reserved and morose, which he was mostly. To me he was always respectful and civil. I have received complaints of his moroseness and incivility to customers, and spoken to him on the subject, and he seemed to regret it. I did not give him these orders, but I received the orders for the oil of roses and juniper.



Riche (recalled).—The writing of the deceased was the same as usual, and the order for the articles was in his handwriting.

Mr. M'Culloch, in answer to the coroner, said he did not know any thing of the family of the deceased.

Charles Gould said—I live at 5, Ann's-place, George-street, Camberwell, and am a cab proprietor and driver. On last Saturday evening, whilst on the Camberwell-green rank, a woman and two children came from the corner of Camberwell New-road and hailed me, and told me to drive to the Eastern Counties Railway. One child was about four and one seven years of age. I did not see any thing strange in the woman's conduct; she was quite sober, and had a small paper parcel with her. She desired me to take the check-string, and told me that it was probable that she might wish to call on the way. On the journey she pulled the string, and at the same time a man, who was on the pathway, called to me. He said, "Cabby, are you engaged?" and I said, "Yes; I have a lady inside." He said he wanted to go to the Eastern Counties Railway. This was opposite Mr. Batty's, the dyer. He then came to the near-side door of the cab. I did not notice that there was a recognition between the parties until he got inside. I told him that I was going to the Eastern Counties, but said there was a lady there who might not like his going in. He said, "All right, I know her very well." He let himself into the cab, and I got down, and the woman said it was all right. I then took them to the Eastern Counties Railway. When opposite Worship-street, Bishopsgate-street, the man said, "Pull round at the chemist's shop;" which I did, and the woman got out, and went into the shop. I should know the shop again. After she came out of the shop she got into the cab. She had been about five or ten minutes in the shop. I then drove to the railway, and she told me not to drive to the platform, but to put them down at the entrance. They then got out, and the children walked apart whilst the man paid me. I have not since seen any of the parties alive. On the night of Monday, the 9th, I saw a dead body at the station-house, and am sure that he is the man who hailed and got into the cab. I know him by his hair. His appearance was rather dirty, and at that time he had got a moustache. I had opportunities of seeing the man who got into the cab, and I have no doubt but that the deceased was that man. This occurred about six o'clock in the evening. On hearing of the murder I gave information to the police.

James Parker, the cab-driver in whose carriage the tragedy was committed, was then examined, and gave the same evidence as on the former inquest.

Mr. Henry Pearce Coombes, house surgeon at St. Mary's Hospital, said he received the bodies of the females on their arrival at St. Mary's Hospital. They were all dead. He had since made a *post-mortem* examination, and had arrived at the conclusion that the deceased persons died from prussic acid.

Mr. Cyrus Fay, chemist and druggist, of 18, Norton Folgate, said that on last Saturday night a cab drove up to his door, and a woman came in and asked for two draughts for a gentleman who had taken too much to drink. They were to be flavoured with cardamoms and cinnamon. He made up the two draughts in one bottle, and they consisted of carbonate of potassium, sal volatile, and compound tincture of cardamoms. She said she had a tumbler in the cab. He had not seen the female since. He was sure the commodity was the same as he had stated.

Mr. William Imrie, a hairdresser, of 420, Strand, said that on Wednesday last the deceased went to his shop and bought a moustache. He showed him a frizzy one, the colour of his hair, and placed it on his lip. He asked if it would look natural, and on being assured it would, he walked out of the door. He had seen the deceased Hunt, and was positive he was the man. He had naturally curly hair, and he was positive he was the man. He put the moustache on, and had a good look at his features before he put it on. He could not be mistaken in the man.

The coroner said the case was now complete for the jury, and he then proceeded to sum up, and drew the attention of the jury to the facts stated by Inspectors Meloy and Smith, and the admissions made by the deceased before Dr. Puckle. There could be very little doubt that he died from poison administered by himself. If they believed the evidence of the two cabmen, it was clear that the woman and children had been poisoned by prussic acid. The question they had to consider was whether the deceased destroyed the lives of the others while he was in a state of mind that enabled him to know what he was doing, and that he was doing wrong, and also whether he took poison himself, and if so, whether he took it while labouring under a fit of insanity, or whether he took it to avoid the punishment which he anticipated for the awful crime which he had committed. The law was clear upon the point, that if he took poison to avoid the consequences of his crime they should return a verdict of *felo de se*.

The room was then cleared; and after a lengthened consideration the jury returned a verdict of *felo de se*.

The remains of the wretched man were interred the same night in the Garratt-lane Cemetery, Tooting, by torchlight, without Christian service, according to the law in such cases.

9. LORD MAYOR'S DAY.—The Right Hon. William Lawrence, the Lord Mayor of London for the ensuing year, went in State from Guildhall to the Exchequer Court, at Westminster, where he was sworn in with the customary formalities. There was the usual show, made up of men in armour, watermen, volunteer bands, banners of City companies, gilded coaches, and the other constituents of a civic procession. The ceremony of swearing in the Lord Mayor took place at Westminster on the arrival of the procession before the Barons of the Exchequer. In the evening the banquet took place in the Guildhall, and was given with

more than wonted splendour, most of the fittings and decorations used at the ball to the Prince and Princess of Wales still remaining. There were about 800 guests. The following were among the company present :—Lord and Lady Palmerston, the ex-Lord Mayor and ex-Lady Mayoress, the Duke and Duchess of Somerset, the Marquis of Salisbury, Earl Granville, the Earl of Hardwicke, Mr. Sheriff Nissen and Lady, Earl and Countess de Grey and Ripon ; the Right Hon. E. Cardwell, M.P., and Mrs. Cardwell ; the Persian Minister, the Columbian Minister ; the Right Hon. S. H. Walpole, M.P. ; many of the Judges and other distinguished functionaries of the State and City.

The dinner was duly attended by the representatives of those great public bodies which the City delights to honour at the festive board. Ministers, Lords and Commons, Army and Navy, Judges and Bar, were all more or less represented. But the speech which is most eagerly looked for on these occasions is that of the Prime Minister, which, accordingly, we give entire.

The Lord Mayor, in proposing “The Health of Her Majesty’s Ministers,” said that we had good reason to congratulate ourselves upon the position which this country occupied at the present time, owing to the strict neutrality of its policy and its firm adherence to the blessings of peace. England was a free country, and its people were in the habit of criticizing boldly and fearlessly the acts of all Sovereigns and of all nations, and showing its sympathy with countries struggling for independence and liberty. It was a proud thing for the country that it had at the head of its affairs a veteran statesman who enjoyed the confidence not only of one great party, but of the nation in general. There never was a Prime Minister so popular as Lord Palmerston since the time of the late Earl Grey. (Loud cheering.) Most earnestly did he trust that his health might long continue, and that his life might long be spared to the nation. The name of Palmerston was the symbol of liberty in every country in the world ; he enjoyed the respect of true statesmen in all parts of the world, and the despots of every nation had the fear of the noble lord always before them.

The toast was drunk with great enthusiasm. Lord Palmerston, on rising to reply, was vehemently cheered, and when at length he was able to obtain a hearing the noble lord said :—

“My Lord Mayor, Ladies and Gentlemen,—For myself and my colleagues I beg to return most sincere thanks to you, my Lord Mayor, for the manner in which you have been kind enough to propose, and to you, ladies and gentlemen, for the manner in which you have been good enough to receive, the toast. Those who are charged with the conduct of the affairs of this country must always feel the highest gratification in being permitted to be present at the splendid hospitalities of this great city of London. And not only do we receive personal gratification, but we feel that on these occasions what takes place cements that union between the different

classes of the community which is so important to the interest of the whole. It is well that those who are engaged in carrying on those commercial transactions on which the wealth, the strength, and the happiness of this great country depend should mix from time to time with those who, as responsible advisers of the Crown, are engaged in conducting the political affairs of the country. I do not mean to say that on these occasions, when we meet at the festive board, matters of importance are discussed, for we are too much occupied in enjoying the festivity and hospitality which surround us for that; but acquaintances are formed on those occasions which ripen afterwards into friendships. It is well known that the transactions of business are made much easier when those who meet to carry them on know and like each other; and therefore I say that these meetings are of great political importance in bringing together those who are connected with the commerce of the country and those who are responsible for its political government. There have been occasions when it has been the lot of those who have had to explain the state of political affairs to congratulate you upon the tranquil state of the civilized world. I am afraid I cannot do that on the present occasion; for although I trust that there is nothing in the horizon which can grow into a cloud of war, yet we see on all sides—in the Far West and in the distant East—struggles going on of the most lamentable character, and scenes enacted which make us shudder for humanity and feel deep compassion for the countries in which those events are taking place. In the Far West we see a nation of the same race, the same language, the same religion, the same manners, and the same literature as ourselves, split into two sections, slaughtering each other by hundreds of thousands, and carrying on a contest the result of which it is impossible to foresee, and the end of which now, after more than two years' duration, he would be a bold man indeed who would predict. Lamenting that state of things, the Government of this country have felt it their duty not to yield either to the entreaties or the objurgations of one party or the other. Blandishments on the one side and threats on the other have been equally fruitless to divert us from our course. We have felt it our duty to abstain from taking any part in that lamentable contest. If, indeed, we had thought it was in our power to put an end to it by friendly intervention, no efforts would have been wanting to accomplish so holy an end; but we felt that interference would be vain, and we deemed it our duty—and in that respect I am sure we followed the wishes of the country—to maintain a strict and impartial neutrality. In the distant East events which are also of a lamentable character are taking place. We there see, on the one side, a barbarous system of deliberate extermination carried on, and, on the other side, revenge venting itself in murder and assassination. We endeavoured to enlist the opinions and the feelings of civilized Europe in joint remonstrances, and so far we succeeded; but those remonstrances have failed. We have done



our duty, and we can only hope that those who have the conduct of affairs in the Russian empire may, at length, cease to pursue that course which has thrown upon them the condemnation of Europe, and that peace may be restored, upon terms of equity and justice, to an unfortunate country. Well, my Lord, although abroad things look ill, and much misery and calamity are sustained, yet, as you have just observed, this country forms a happy exception to that which seems to be the prevailing condition of nations. We have been blessed by Providence with an abundant harvest; we have been preserved by the Government and the good sense of the country from the calamities of war; our population are contented and loyal, feeling that for a long course of years the Legislature of the country has been occupied in remedying grievances, in removing defects in our laws, and in casting away those obstructions which the less enlightened policy of former times had thrown in the way of the productive industry of the country; and I am happy to say that I believe the commercial and material prosperity of the country is brighter now than it has been at any former period. Those who know the course of the commerce of the world will tell you that year by year this great city of London is growing more and more the centre of the commercial transactions of other States; that bills are drawn upon London to pay debts all over the world; and that commodities destined for other countries are sent here for deposit—a tribute paid by the people of other nations to the industry, the good management, the integrity, and the high honour of the commercial community of this land. My Lord, I congratulate you on this happy state of things; and I trust that the people of England will feel that they are greatly indebted for it to the reign of that beneficent Sovereign under whose mild and enlightened rule they have the happiness and good fortune to live. My Lord, I beg again, on behalf of my colleagues and myself, to return you our most sincere thanks, and to assure you that we derive high gratification from being allowed to be present at your festive board on this occasion." (Loud cheers.)

Several other toasts having been drunk, the proceedings terminated.

10. CRITICAL SITUATION OF A STEAM-SHIP OF THE ROYAL NAVY.—Her Majesty's ship "Prince Consort" was in the first-class steam reserve at Devonport, and reported ready for sea in the middle of November, but a pressing emergency required that she should be sent round to Liverpool with all despatch. At seven a.m. on the 10th, Captain Vesey and four hundred officers and men were placed on board her, and at one p.m. she was in all respects (save having her compasses adjusted) ready for sea. About one, however, the orders were countermanded, and the men and officers left her, but, receiving fresh orders, returned again, and at five p.m. the "Prince Consort" was in the Sound. Next morning, after having been swung for deviation, she went to sea. She certainly showed that night that she could roll; but, though rolling deeply, she rolled

easily. On the 12th, while steaming up the Irish Channel, a gale from the north-west gradually arose. She was then under topsails, foresail, and fore and aft sails, and using half her steam power. By five p.m., when within twenty-five miles off Holyhead, the gale became furious, and the sea very high. Under these circumstances it would have been running a fearful risk for an immense vessel like the "Prince Consort" to have been run for a small harbour like Holyhead; the sails were therefore furled, and the frigate put head to sea, and towards Ireland. For the last three hours she had been labouring, and (although battened down) taking in much water. With her head to sea the ship's magnificent engines were very thoroughly tested, and they drove this enormous mass of matter six knots at first, and eight knots afterwards an hour, in the face of a very strong gale. At six p.m. it was reported that the water was within a few inches of the fire. All the pumps, including the steam pump, were immediately set to work, but the water continued slowly but gradually to increase. Every effort was made to discover the leak, but without success. About midnight, when the men, who had been six hours at the pumps and nearly twenty-four hours at work, and without food from noon, began to show signs of exhaustion, Howth Lights were made, and at half-past twelve the ship was anchored. The men had then a glass of grog served them, went at the pumps again with a will, and continued there until two a.m. In the mean time the steam pump was taken to pieces, put to rights, and set to work again, and at two the ship's company were allowed a rest of two hours. By five a.m. the steam pump had reduced the water eighteen inches, and all immediate anxiety was removed.

The ship was then taken to an anchorage off Kingstown.

One unfortunate man had his leg fractured by a piece of funnel-casing falling on him, and seven or eight men were more or less bruised, but not dangerously, by being thrown off their legs during the gale. The water that the ship took in over all, and by leakage through the ports, was very great.

21. THE CROWN PRINCESS OF PRUSSIA LAYING THE FIRST STONE OF WINDSOR NEW CHURCH.—The Crown Princess of Prussia (Princess Royal of England) celebrated her birthday by laying the foundation-stone of a new church which is to be built in the Francis-road, about a mile from Windsor Castle. A numerous and brilliant assembly witnessed the ceremony.

## DECEMBER.

1. OPENING OF THE CHARING-CROSS RAILWAY.—A partial opening of this important metropolitan communication took place. It was opened for passenger traffic in the first instance between Charing-cross and Greenwich only, the progress of the works at the terminus not yet admitting of its being used for the long traffic of the South-Eastern system, which it is destined, when completed, to convey into this central part of the Metropolis. The inauguration of the undertaking took place with all the *éclat* which could be imparted by the visit of a large party of directors and their friends, and a sumptuous *déjeuner* at the termination of the proceedings.

6. DOWAGER LADY BLANTYRE *v.* THE ST. JAMES'S HOTEL COMPANY.—MYSTERIOUS ROBBERY OF JEWELS.—(*Sittings at Westminster, before Mr. Justice Byles and a Special Jury.*)—This was an action to recover damages for a loss sustained by the plaintiff in money and jewels while staying at the defendants' hotel. The defendants denied their liability, on the ground that the plaintiff had given no notice to the manager of the hotel that she had the said property in her possession, and that she did not take proper care thereof.

Lady Blantyre deposed that, having come to London for the season in April last, she went with her daughter, Mrs. Ferrand (the wife of Mr. Ferrand, M.P.), to the defendants' hotel, which is situated at the corner of Berkeley-street, Piccadilly, but which was not then quite finished, and agreed to take certain apartments in it when they were fit to be occupied, which it was stated they would be early in May. Accordingly, on May 8, the plaintiff took possession of the apartments—viz., a drawing-room, two bedrooms, a dressing-room, and a dining-room on the second floor. These rooms were *en suite*, with a door in each leading from one room into another. There was also a door leading from the passage into each room. One bed-room was occupied by Lady Blantyre, and the other by Mr. and Mrs. Ferrand. On the 19th of May Lady Blantyre dressed for dinner at seven o'clock in the evening. She had then occasion to use her dressing-case, in which there were 500*l.* worth of jewels, and 57*l.* in gold and silver. The jewels consisted of a large diamond brooch, worth 320*l.*, a pair of diamond buckles for bracelets, worth 61*l.* 5*s.*; a half-hoop diamond ring, worth 30*l.*; an emerald and diamond half-hoop ring, 30*l.*; a diamond ring, with a ruby in the centre of it, worth 35*l.*; a half-hoop ring of small brilliants, worth 10*l.*; a ring, three diamonds, and a pearl, worth 10*l.*; an onyx, pearl, and diamond ring, 13*l.*; and an Indian bandeau, with ruby eyes, worth 18*l.*

After dressing, the plaintiff saw that the property in question was safe in the dressing-case, which she locked, and placed, as usual, on the drawers in her bed-room. She then went to dinner, and subsequently retired to her bed-room between eleven and twelve o'clock at night. She did not lock the doors of her bed-room, but she placed a chair against the door which opened upon the outer passage. Next morning she rose about half-past eight o'clock, and went to breakfast in the dining-room. She returned to her bed-room at eleven, and upon looking into her dressing-case she found that her jewels and money were gone. The dressing-case had no appearance of having been forced, and Lady Blantyre had the key on a ring with other keys in her pocket. She immediately informed her son-in-law, Mr. Ferrand, of her loss, and he communicated with Mrs. Francatelli, the wife of the manager of the hotel; after which he went to the police-station in Vine-street, and obtained the assistance of a detective. He subsequently saw Mr. Francatelli, who said it would have been better if he had left the case in his (Mr. Francatelli's) hands, and that the proper place to have gone to was Scotland-yard, whither Mr. Francatelli went and gave the necessary information. No clue, however, was obtained to the robbery, and up to this day it was a mystery. Only one of the stolen notes, a 10*l.* one, had been traced, it having been paid into the Bank of England. There were several workmen about the hotel all the time that the plaintiff and her relatives were staying there.

Lady Blantyre cross-examined by Mr. Bovill.—The dressing-case (which was produced) had a Bramah lock and key. When she saw it on the morning of the 20th of May it was locked. She always kept the key in her pocket with her other keys. She remembered telling Mr. Francatelli that a piece of pink tissue paper was always inside the dressing-case. This was found on the table in the drawing-room on the morning of the robbery. She discovered that one of the 20*l.* notes which she thought had been stolen had been paid away by her some months before. She never said that another of the 10*l.* notes was found by her in a piece of blotting-paper. There was no doubt that she had lost 57*l.* in notes and gold and silver.

Mr. and Mrs. Ferrand were also examined, and they corroborated that part of the case which came within their knowledge. They also deposed that previous to the robbery of Lady Blantyre's property they had lost money. Half-a-sovereign had been taken out of Mr. Ferrand's purse as it lay on his dressing-table in his bed-room, and a sovereign had been abstracted from Mrs. Ferrand's purse during her absence from the drawing-room.

The servants of the plaintiff and of Mr. and Mrs. Ferrand were also examined, for the purpose of enabling them to say that they knew nothing of the robbery in question.

Mr. Hunt, of the firm of Hunt and Roskell, and Mr. Hunnett, a diamond merchant, of Southampton-street, deposed to the value



of some of the lost jewels with which they were acquainted; the former witness also gave an estimate of the value of some of the other jewels, according to the description given of them to him by Lady Blantyre. The total value of the jewels was 527*l.*, which, with the 57*l.* in money lost, would make the damage suffered by the plaintiff 584*l.*

Mr. Bovill, for the defendants, contended that they were not liable for the plaintiff's loss, for Lady Blantyre was bound to have given notice to the manager of the hotel that she had the property described in her possession, in order that his attention might be directed to it, especially as a card was placed in every room of the hotel, on which was printed the following notice:—"The company do not hold themselves responsible for property lost in the hotel, unless placed in the special charge of the manager." He contended that the proprietor of an hotel had a right to say upon what terms he admitted persons to take up their residence there, and that if they did not comply with these terms he was not liable for any loss sustained by them while staying at his hotel. This view was so strongly entertained by Parliament, that it passed an Act last Session limiting the liability of the keeper of an inn or an hotel to 30*l.*, and obliging a guest to give up property beyond that amount to the landlord or manager of the hotel. It was clear that Lady Blantyre did not take that care which she ought to have done of her property, and she was not, therefore, entitled to recover against the defendants.

Mr. Francatelli, the manager of the hotel, was examined to show that a card with the printed notice referred to was placed in every room in the hotel, and might have been seen by the plaintiff. The servants of the plaintiff, and those of Mr. and Mrs. Ferrand, used occasionally to be visited by their friends. The servants of the hotel were all persons of good character. There were no workmen about the hotel at the time of the robbery but two carpenters and two gasfitters, and they were employed in the basement.

The learned Judge, in summing up, said that the law of liability of an innkeeper was as old as the Roman law. It was not only the law of England until modified by a recent Act of Parliament, but it was the law of every country in the world. With respect to the notice furnished on the card which had been put in evidence, it was of no value whatever, for it could not take away the responsibility of the defendants. He left it to the jury to say, first, whether the plaintiff had been guilty of negligence in not reading the notice in question; secondly, whether she had been guilty of negligence in not locking her bed-room door; and thirdly, whether she had been guilty of negligence in not leaving the goods in the charge of the manager of the hotel.

The jury, after a short deliberation, found a verdict for the plaintiff on all the grounds. Damages—584*l.*

9. DEPARTURE OF SIR JOHN LAWRENCE.—The new Governor-General of India, Sir John Lawrence, took his departure from

England, *en route* for Calcutta, to assume his Vice-regal duties.

10. GREAT FIGHT BETWEEN HEENAN, THE AMERICAN PUGILIST, AND KING, THE ENGLISH CHAMPION.—This event, which excited extraordinary interest in sporting circles, and was regarded with anxious expectation on both sides of the Atlantic, took place near Wadhurst, in Sussex, in the presence of an immense crowd of spectators. The gathering took place at the London Bridge station of the South-Eastern Railway at four o'clock in the morning, when a strong body of police were drawn up to prevent the ruffianly outrages and robberies which occurred on the last occasion of a contest for the "Championship of the Prize Ring." It was, however, a quarter past six before the train, consisting of some thirty-three carriages, occupied by about 800 people of all conditions, from the peer to the prizefighter, left the station. On the journey large bodies of police were met with at every station except the one nearest the intended scene of action (Wadhurst); but there not a single constable was visible. The stakes being driven, the spectators seated, the ring-keepers active with their thick gutta-percha whips, the few differences on the subject of individual allotments of space amicably adjusted, and every thing settled into a pervading breathlessness of expectation, the men were anxiously looked for; and a buzz of suppressed excitement went round the assembly when they stepped into full view from their little knots of backers and friends. King was the first to fling his cap into the arena, and Heenan was not long after him. Both had, of course, their partisans, but it was quite clear that the majority of the lookers-on simply wanted to see a fair fight; and although there was a natural feeling in favour of the young English sailor, his rival had not the least reason to complain of a cold or even a lukewarm reception. In whatever way the betting ran before the combatants came into sight, there was evidently a strong and universal desire, when they *did* appear, to back both. The toss for choice of position was won by Heenan. The seconds busied themselves with the toilette of the boxers, whilst the spectators, settling themselves down in their places as best they could, waited with some impatience for the commencement of the struggle. King was seconded by two prizefighters named Noon and Tyler; Heenan's seconds were Macdonald and his former antagonist, Thomas Sayers, ex-champion of England, who was welcomed with much cheering by the crowd. A louder cheer soon told that Heenan was ready. As he stepped forward into the arena it was impossible to gaze without a certain admiration at so grand a form. The beauty, indeed, was almost entirely physical; but it was perfect of its kind. As a proof of the excellence to which man, as a mere animal, can be trained, a moment's glance at Heenan was worth a whole volume of anatomical discourses. So terrible appeared the long arms, of which the muscles moved with the pliancy and, as it seemed, with the

certainly and strength of steel—so impressive was the suggestion of irresistible force conveyed by the whole air and bearing of the mighty gladiator—that even the warmest partisans of the English athlete trembled for the fate of their champion. It needed but a look at King, however, to see that he was no unworthy antagonist even for Heenan. He, too, was in the full flush of youthful strength, and there were, indeed, some who thought that he had been trained too fine; but he was supple, agile, and strong; and in the knitted brow, in the clear, resolute eye, no signs of failing resolution, but rather of a courage proof against all danger, were clearly to be read. Despite his greater height, King's development was far from being so imposing as that of his competitor; and the betting was in favour of the latter. A hard fight was looked for, but it was certain that the superior bulk and the wrestling ability of Heenan would tell enormously in his favour; and it was remembered that King, notwithstanding his numerous victories, could scarcely, from those performances, be considered to rank very highly as a scientific boxer. Brave, indeed, he was admitted to be; his lithe and sinewy frame indicated an agility which would assuredly stand him in good stead; but it was doubted whether he possessed either the skill of a man like Mace, or the dogged resolution and insensibility to pain, which supported Sayers in his famous fight. One thing, at any rate, was beyond dispute—that two better made or more powerful men had never entered the prize ring. A contest between such gladiators could scarcely fail to be exciting, and it was likely enough to be revolting and repulsive. So much time had been lost, that it was after ten o'clock before the fight began. In the earlier part of the contest Heenan's enormous strength and wrestling power told much in his favour. King sustained some terrible falls, and the apprehensions of his backers became serious. As the fight went on, however, Heenan began to exhibit marked signs of the punishment he had received; his face was shockingly disfigured, the blood flowing from it copiously. As the twentieth round approached, the excitement on both sides became frightful. The ring was broken, and the shouts and yells were terrific. Heenan's condition had gradually become worse and worse, and the confidence of his friends began to give way to despair. At length, on the twenty-fifth round being called, the American champion was unable to come to time, and the Englishman was declared the victor amidst the most unbounded acclamation. Heenan's appearance gave proofs of very severe punishment, but King showed but little outward signs of the effects of the struggle. The fight, which was maintained with uncommon tenacity and endurance, lasted thirty-five minutes. The stakes were 2000*l.*, but a vast amount of money was staked by betting on the result.

13. THE LAUNCH OF THE "MINOTAUR."—Her Majesty's iron-clad screw steam-ship "Minotaur" was launched from the yard of the Thames Ironworks and Ship-building Company, Blackwall, in the

presence of an assemblage computed at 10,000. Admirable arrangements were made by the company for so large a gathering, and although probably not fewer than 3000 persons were conveyed by pontoon and small boats across the creek that divides the yard—the creek into which the ship was launched—not a single accident occurred. The dimensions of the “Minotaur” exceed those of any other ship afloat; and when the “Agincourt” is launched from the yard of Messrs. Laird, at Birkenhead, and the “Northumberland” from the yard of the Millwall Company, there will be three ships of the class. All three were ordered by the Admiralty on September 2, 1861, and should, according to contract, have been launched six or seven months ago; but many changes have been introduced into all the ships, and hence the delay. The launching of the “Minotaur” was managed to perfection. When the last supports had been knocked away, the first effort of the hydraulic ram moved her. Mrs. Romaine then dashed the bottle of wine against the iron bows, and the huge vessel glided majestically into the river, amid the cheers of thousands. The work of fitting the “Minotaur” with her five iron masts, and generally completing her for sea, will be effected in the Victoria Docks.

The length of the “Minotaur” between perpendiculars is 400 ft., her breadth 59 ft. 4 in., and her depth 41 ft. 6 in. She is of 6812 tons’ burden, builders’ measurement, and she is to be propelled by engines (in course of making by Messrs. Penn) of 1350-horse power. Her armament is not yet fully decided upon, but it is expected that she will carry fifty guns of the largest calibre. Her internal construction is of the most massive description. The armour-plates on the waist of the ship are  $5\frac{1}{2}$  in. Towards the head and stern, however, they are reduced to  $4\frac{1}{2}$  in. The total weight of the vessel, when completed, will be about 10,000 tons. Already, with only a part of her armour-plates on her and her engines to come, she weighs over 6000 tons. Yet it is confidently expected that her speed will be about fourteen knots per hour.

— SMITHFIELD CATTLE SHOW.—This event, so interesting to the agricultural world at this season, was this year made additionally attractive by the visit of His Royal Highness the Prince of Wales to the Agricultural Hall on the opening day. The Prince arrived about one o’clock, accompanied by His Royal Highness the Crown Prince of Prussia and the Duke de Brabant, and amongst the suite were General Knollys, Major-General Sir A. N. Hood, and Captain De Ros. His Royal Highness was received by Lord Walsingham, the president; Lord Tredegar, president elect; the Duke of Richmond, one of the vice-presidents; Mr. B. T. B. Gibbs, the secretary of the Smithfield Club, and Mr. S. Sidney, the secretary of the Agricultural Hall Company. By these the royal party were conducted through the show, and paid great attention to the prize animals, but more especially to the gold medal pen of pigs, which this year was carried off by Major-General Hood, as representing the late Prince Consort, bred at the Shaw farm,



Windsor. The Prince took great interest, and appeared much pleased at the distinction which the royal porkers had attained. After staying about an hour the royal party left the hall, and were loudly cheered by an immense assembly, which had by this time considerably augmented.

The judges did not finish their duties and make their awards finally till after three o'clock, the show having been opened to the public at two p.m., at a charge of five shillings. Numerically the show was superior to that of former years, though in point of excellence there were no very striking instances of superiority over the cattle exhibited at former shows. This, however, was said to arise from the generally high standard making any startling superiority of one animal over the other a rarity. Great doubts existed in the minds of the judges for some time as to which class the palm should be awarded, the Devons or Herefords, and after very minute deliberation only was it decided that the silver cup, value forty guineas, for the best specimen in the oxen or steer classes, should be awarded to the four-year old Hereford bred by Mr Thomas L. Meere, of Shrewsbury, and exhibited by Mr. William Heath, of Ludham-hall, Norwich. There were, however, several near competitors to this very fine animal in various points of excellence, both in the Devons and Shorthorns. The general character of the Devons, Herefords, and Shorthorns was described as rather above the usual average of excellence, but in the Sussex and other breeds there was considered to be a falling off. In the former class General Hood, for the late Prince Consort's stock, carried off one or two prizes; the other principal and successful competitors being Mr. John Overman, the Earl of Leicester, Mr. William Heath, Mr. John Ford, Mr. Francis Neale, Mr. John Coate, and Mr. John Tucker. In the Hereford classes General Hood also figured as a prize-holder, and the names of some well-known agriculturists were to be found in the successful catalogue. Amongst the Shorthorns the finest specimens to be found were belonging to Mr. Thompson, of Badminton, Mr. Charles Swaisland, Earl Radnor, Sir Anthony de Rothschild, Mr. Baker, Mr. Walter, M.P., Mr. Packe, M.P., Sir Thomas B. Lennard, and the Earl of Aylesford. Less regard seemed to have been paid to the breeding of the Norfolk and Suffolk polled breeds, but in the Scotch breeds there were some very nice animals, and in the cow classes there were some fine stock shown by the Marquis of Exeter, the most remarkable animal being, however, Mr. Giblett's Alderney cow, the fattest animal, it was believed, in the show.

The sheep classes generally were not of that equal character which had been their wont at former shows, but the Southdowns for purity and excellence of breed continued to maintain their superiority. The great competitors in these classes were the Duke of Richmond, Earl Radnor, and Lord Walsingham, Mr. Rigden's Hove stock being this year unrepresented, on account of his having accepted the office of steward. The noble president of the

club beat the duke and the earl, and carried off the silver cup as well as the first prize in the classes; both the Duke of Richmond and Lord Radnor were also prize-holders.

In the pigs there was not, generally speaking, that extraordinary tendency to obesity which has usually prevailed; the most remarkable specimens, however, were considered to be those entered in the name of General Hood.

The dinner of the Smithfield Club took place, as usual, at the Freemasons' Tavern, and the company assembled, amounting to but a little over fifty persons, was presided over by Lord Walsingham, the president; and Lord Tredegar, the president elect; Earl Berners, the Earl of Faversham, Sir T. H. Maxwell, Colonel Fane, Mr. Fisher Hobbs, Mr. Humphrey Brandreth, Mr. John Giblett, Mr. Torr, and other well-known agriculturists, were present.

The number of visitors to the show during the week was very large, especially on the first day, although rather short, in the whole, of the attendance in 1862. But, taken altogether, the show was a decided success, and gave general satisfaction to the visitors.

— THE WATERLOO-ROAD MURDER.—A murder was committed in the Waterloo-road, which, on account of the circumstances connected with it, the proceedings at the trial of the accused, and the excitement attending the execution of the sentence, rather than from any peculiarity in the perpetration of the crime, attracted much public attention, and was the subject of a good deal of comment.

The deed itself, indeed, presented in its immediate circumstances only the ordinary features of such crimes. Samuel Wright, described as a bricklayer by trade, had cohabited, it seems, for some little time with a woman named Maria Green, and they had occupied together the second floor of a lodging-house in the Waterloo-road. On Saturday, the 12th of December, a dressmaker who rented the first floor of the house, and who was acquainted with Wright and his companion, saw them "very happy and comfortable" together in their own room, about eight o'clock in the evening. Shortly afterwards they went out, and were seen standing for a time at the corner of the York-road, where the deceased was exchanging angry words with another woman. They left this woman, however, and repaired to a public-house, where they had some gin; but, though the deceased remained "excited" after her quarrel, neither she nor her paramour is said to have been intoxicated. Nothing more was known of their proceedings up to the time of the catastrophe. At what hour they returned to their lodgings is uncertain; but about four o'clock on the next (Sunday) morning, the lodger on the floor beneath them was alarmed by a loud knocking and screaming overhead. As she opened her door she met Wright coming down the stairs, and his appearance betrayed the dreadful work in which he had been engaged. His sleeves were tucked up, his arm was bloody, and his look altogether so shocking that the witness nearly fainted. She contrived, however, to ask what was the matter, and Wright told her, as she

fancied, to go upstairs and see. She did so, and found the woman Green lying on the floor with her throat cut, and just able to articulate feebly that Wright had committed the deed. A policeman was soon fetched, and Wright, who had remained in the house, without attempting to escape, and who acknowledged himself the perpetrator of the crime, was taken into custody. That a quarrel originating in jealousy had led to the deed seemed sufficiently probable, and the scene witnessed in the York-road would appear to indicate that the jealousy was on the side of the woman. Otherwise, the evidence represented them as living together quietly, and with habits so generally regular as to suggest the impression that they were man and wife.

Upon the commission of the crime the retribution of justice followed with a celerity rarely paralleled in the annals of justice. So speedy was the course of law that the murderer had actually been condemned to the gallows before the remains of his victim were committed to the grave.

The crime, as has been stated, was committed on Sunday morning, the 13th; on the 14th the prisoner was brought up to the Southwark Police Court, where the evidence, of which a brief summary has been given, having been stated, and the prisoner declining to make any defence, he was at once committed for trial. The Central Criminal Court was at that time in session; a true bill was found by the Grand Jury on the 15th, and on the 16th the prisoner was arraigned before Mr. Justice Blackburn for the act committed only three days before. Being called upon to plead, the accused, who had no counsel, said that "he was guilty." The Clerk of Arraignment, upon this, took pains to explain the nature of the charge against him, which was that he had killed the deceased purposely and of "malice aforethought." The prisoner, however, only repeated that he was guilty.

Mr. Justice Blackburn, addressing him, said,—I understand you have pleaded "Guilty" to an indictment charging you with wilful murder, and I wish to know if you thoroughly understand what you have done in so pleading. You have by that plea admitted that you wilfully committed murder on the person of the deceased, without any excuse; are you aware of the consequences? I don't wish to dissuade you from so pleading, if you really know what you are doing; but, before it be too late, I want to know if you thoroughly understand the meaning of your plea.

The Prisoner.—Yes, my lord, I do.

Mr. Justice Blackburn.—I repeat, I don't wish to dissuade you from confessing your guilt.

Mr. Sleight, interposing, said he was counsel for the prosecution, and begged to state, before the prisoner finally answered, that he had only just been committed for trial, and probably had not had time to obtain legal advice or assistance. He had read the depositions, and it occurred to him that if the prisoner were well advised he might be disposed to retract that plea.

Mr. Justice Blackburn.—It seems to me that if he really understands the meaning and consequences of the plea, and of that he himself is the only judge, it only remains that he should receive judgment. I do not think there is any thing in the depositions to require me to reverse the plea. (To the prisoner.)—Do you thoroughly understand the nature of the plea and its consequences?

The Prisoner.—Yes, my lord.

The Clerk of Arraignment, whom the learned Judge directed to call upon the prisoner, said,—You stand convicted on your own confession of murder; what have you to say why the Court should not give you judgment to die?

The prisoner made no reply.

Mr. Justice Blackburn, assuming the black cap, said the prisoner had been convicted on his own confession of the crime of wilful murder, and he was bound to say, after reading the depositions, he thought there could be no doubt, if the prisoner was in a state of mind at the time to know what he was doing, that he really did commit the crime of wilful murder, and it did not appear from any thing in the depositions that he was not at the time responsible for his acts. He had pleaded "Guilty" and confessed the crime, and he had done right in that respect, if he really knew the effect of his plea. It therefore only now remained for the prisoner to endeavour, in the short interval which would be allowed him, to make his peace elsewhere, for in this world he could not hold out to him the slightest hope of mercy, the prerogative of mercy residing in another quarter. The learned Judge then passed sentence of death in the usual form, and directed it to be carried into effect by the High Sheriff of Surrey.

It may be observed, that a plea of Guilty to a capital charge is rare in our Courts, but the rapidity with which in this instance the conviction followed the perpetration of the crime through an unusual concurrence of circumstances, is probably without a parallel. Indeed, the suddenness of the proceedings, and the absence of any defence or efforts to save himself on the part of the accused, produced a somewhat unsatisfactory impression on the public mind. Some thought that the trial ought to have been postponed, to give time to the prisoner to recollect himself and take advantage of any grounds which might be suggested in his favour. Others thought that his sanity was somewhat doubtful, or that the crime, if presented in a proper light, would have appeared to resemble manslaughter rather than murder. Another circumstance which contributed powerfully to influence the public mind in favour of the convict, was the commutation about the same time of the sentence of another notable criminal<sup>1</sup>, who had been convicted, after full trial and inquiry, of the murder of his victim, notwithstanding the plea of insanity set up in his behalf, but who was nevertheless respited by authority of the Secretary of State, upon the representation that subsequent to his conviction his mind had become diseased. Com-

<sup>1</sup> George Victor Townley. See *Law Cases post*.



parisons were drawn between the case of this offender, powerfully befriended and backed, and the unaided and friendless convict Wright, who had been so summarily consigned to his fate. Much discontent was excited in consequence, especially among the working classes, and strong efforts were made by appeals to the Secretary of State to extend to him some mitigation of the sentence of the law. These efforts, however, were unavailing. After communicating with the Judge who presided at the trial, Sir George Grey declared that he could see no valid reason for interfering with the execution of the law. Wright underwent his sentence accordingly; but the matter did not pass off without considerable excitement, and some degree of settled dissatisfaction in the public mind.

14. ANNIVERSARY OF THE PRINCE CONSORT'S DEATH.—WINDSOR CASTLE.—Her Majesty passed this most sad anniversary and the preceding day in complete seclusion.

The Queen, accompanied by all the members of the Royal Family, proceeded at an early hour to the royal mausoleum (where Her Majesty is in the habit of going constantly), and permission was given to all the members of the household, including the servants, to go there, and pay a tribute of love and respect to the memory of their beloved and ever-to-be-regretted master.

17. MURDER AND SUICIDE AT GUILDFORD.—(*Home Circuit. Kingston Assizes.*)—At Kingston (Home Circuit), Joseph Mahaig, aged twenty-eight, a sergeant in the 3rd Buffs, was indicted for the murder of Elizabeth Waterer. The prisoner bore a good character as a soldier, and, after returning from service in China, he was stationed with his regiment at Aldershot, where he became acquainted with the deceased, a respectable young woman, in service at Guildford. On Sunday evening, the 1st November, they met near Guildford, and engaged a bed-room at the Coachmakers' Arms beershop, stating that they were man and wife. They appeared to be on the most affectionate terms. The deceased was seen on the Monday and Tuesday, but not afterwards. The prisoner was last seen on the Thursday. On the Wednesday the landlady took up breakfast to their bed-room. The deceased was in bed. The prisoner said she was asleep, and that she had not been well all night. [It was afterwards found that she was then dead.] On the Friday morning the bed-room door was found locked. The landlady knocked, but no answer was given. The police were then sent for, and on opening the room the man and woman were found lying on the bed, the woman being dead and in so decomposed a state that her mother, who saw her soon afterwards, could not recognize her features. The prisoner was lying by the body. He had a dreadful wound in the neck, and was apparently dead from loss of blood. He had nothing on but his trowsers and socks. By his side lay a table-knife covered with blood, and a drawn bayonet. On a *post-mortem* examination of the deceased there were marks round the neck as if it had been encircled by a cord. At first it was thought that the stomach indicated traces of strychnine, but

subsequently the medical men decided that the death was caused by strangulation. Under the bed a piece of clothes-line was found, and a paper envelope marked "Poison." The police also found some letters. The first, dated November 3rd, was from the prisoner to his sergeant-major, as follows:—

"Sir,—I presume in sending you these few lines, as I know you are always a good friend. I send you this as a favour. I hope you will accept the same for me, as I am about to take my departure from this world, and I hope you will take care of yourself as regards company, as it has brought me to this ruin. But I give no blame to them. I conclude, with best respects to all the sergeants.

"JOSEPH MAHAIG."

Another letter purported to be from the deceased to her mother, but there was some evidence that it was in the prisoner's handwriting. It was as follows:—

"Guildford, Nov. 3.

"My dear Mother,—I think it rather strange your not answering my last letter which I sent. I think it very unkind in you not doing so. In a short time you will send to me a long farewell, as I am going with Joseph Mahaig, of the 3rd Regiment, at Aldershott. I think my time will be very short in this world, as I am very much attached to him. I blush when I intimate this to you; but, as a mother, you must know what youth is. So I have made up my mind, rather than part with him, to take some deadly draught. But do not blame him for this, as you will see both our names in the newspapers. Very likely he will get the blame of this; but I hope, as it regards my declaration, you will contradict it. Dear Mother, I now kindly bid you all farewell; and, as we will not meet in this world, I hope we shall in the world to come. My boxes is at Guildford station; there is two of them. Good evening, with my best respects to all inquiring friends. May God, in his infinite mercy, direct you all, is the wish of your ever loving and affectionate daughter,

"ELIZABETH WATERER."

Another letter, addressed to the coroner:—

"I do not know what to write what you may ask for. Shall I put this day the 26th of the month? Where am I going after that? I may let you know that we both partook of the poison at the same time; but the poison that I took, that she gave me, she bought at another shop. It had a blue cover. Half an hour afterwards she was dead. I think it was the night of the 3rd. We both said, as she would not leave me, we would die together. She died in my arms. On the Tuesday evening she had a rope cord round her neck when I came upstairs. At night we both took the poison in some gin about 5.30 p.m. We both sent, at least left, a letter to both our mothers on the table. I don't wish any one to see this. Dear friends, I don't care. I wish to God I had went with her.

"JOSEPH MAHAIG."

The following (partially burnt) was also found, addressed "To all concerned this night:"—

"Guildford, Nov. 4, 1863.

"So now, dear Elizabeth, she lies by my side. May the Lord have mercy upon our souls. . . . She lived—did the same. I hope our bodies in one grave. Three this morning the draught she did take. Although I partook of it was not quite safe twenty minutes after. She did then expire, and I was left weeping here in her cold arms. She said, 'Are you coming?' as we both drunk together. I hope we will meet in the next world together. [Here the letter is illegible.] But in place of cold—that she did give me something—although she is cold her spirit is near. I have watched and caressed her all this long day; but now dear Elizabeth is fit for the clay, and shortly after now we will both soon part." [The rest of the letter was illegible.]

When the prisoner was before the coroner he made the following statement:—

"Sir,—On the evening of the 3rd the young girl spoken of seemed to be in trouble about the time of 5.30. I went downstairs for some ale, and when I came up I found a rope cord round her neck. I took it off, and before going to bed we both partook of some poison. She afterwards died in my arms. That's all, sir.

"JOSEPH MAHAIG."

All the witnesses concurred in stating that the prisoner and the deceased appeared to be on the most friendly terms. It was also proved that on the morning of the 3rd ult. the deceased bought a threepenny packet of Butler's vermin powder (which contained two grains of strychnine) at a chemist's shop in Guildford.—Messrs. Phillips and Sells, medical practitioners, made the *post-mortem* examination, and in consequence of finding no traces of strychnine, they concluded that death was caused by strangulation. But Dr. Taylor was of opinion that death was caused by strychnine; that all the appearances negatived strangulation, and that the non-discovery of any traces of strychnine did not negative the conclusion as to death by strychnine, as when the quantity taken was barely sufficient to cause death, it was absorbed, leaving no trace behind.—Mr. Oppenheim having addressed the jury for the defence, Baron Pigott summed up, and said if they believed that strangulation caused the death, the prisoner must be found guilty of murder; but if they believed that the parties mutually agreed to take poison, and that strangulation was not the cause of death, then the prisoner would be guilty of aiding and assisting in the murder. Verdict—"Guilty, as an accessory before the fact, to the commission of the murder, and they recommended the prisoner to mercy on the ground of his good character." Sentence of death was then passed, and the Judge said he would forward the recommendation to the

proper quarter. The sentence was afterwards commuted to that of penal servitude for life.

18. LOSS OF AN EMIGRANT SHIP.—Intelligence was received in Glasgow that the fine emigrant ship "Grasmere," Captain Turner, from the Clyde to Southland, New Zealand, with a general cargo, had been driven on the Ship Rock, near Ballyferries, about eight miles south of the entrance to Belfast Lough, and there remained full of water. All the passengers, who numbered 125, as well as the crew, were landed in safety. The "Grasmere" left the river on the 14th; but in consequence of the severe gales was obliged to take refuge in Lamlash Bay, where she remained till the 17th, when she left in company with the large outward-bound fleet.

— GREAT FIRE IN THE CITY.—A fire broke out at night in a part of the City densely crowded with warehouses, which in a few hours destroyed property and merchandise variously estimated in the whole at from 100,000*l.* to 150,000*l.* The property of one firm alone which was consumed was insured at nearly 40,000*l.*, and others have suffered to a greater or less extent. The fire occurred in a block of buildings used exclusively for warehousing purposes, and situated between Wood-street and Milk-street in one direction, and between Clement's-court and Feathers-alley in another. The locality abuts upon what used to be the site of the old City Compter, and some of the property which perished in the conflagration is said to have been once used as a residence by Judge Jeffreys. It was chiefly occupied by Messrs. Grant, umbrella and parasol manufacturers, Messrs. J. and R. Morley, as a shirt factory, Mr. A. S. Henry and Co., Mr. William Gibson, and Mr. J. F. Bunting, warehousemen. The various places were mostly divided by thin party walls, which in modern times had been run up for purposes of business or convenience, and which would not be tolerated under the stringent building regulations of the present day. Brick walls of great thickness, which appear to have most withstood the rage of the fire and prevented its spreading, were left standing, and some of them were said to have survived the Fire of London. On the ground floor Mr. Bunting had a small office, or warehouse, and there the fire originated, according to the prevailing opinion. His warehouse, and the far more extensive one of Messrs. Morley, which was also on the ground floor, were divided by a slender partition wall, which the fire soon destroyed, and then spread in other directions. The upper part of the premises over those of Messrs. Morley was occupied by Messrs. Grant, and had an entrance from Clement's-court, which was also common to the warehouses of Mr. Bunting, Messrs. Henry, and Mr. Gibson. The first symptoms of the fire were discovered by Peter Grant, a young man in the service of Messrs. Grant. On the 18th he and two women servants were left in charge of the premises of Messrs. Grant at night, and about half-past ten p.m. he came downstairs, as was his custom, to fasten the street door. On the way he felt a strong smell of fire,



and on reaching the passage on the basement, finding it filled with smoke, he called in a policeman. A message brought Inspector Foulger forthwith from the Bow-lane police-station, and a fireman from the head-quarters of the London Fire Brigade in Watling-street. Smoke was then seen oozing from crevices in the door of Mr. Bunting, and the fireman jocosely said if he had a bucket of water he would put out the fire wherever it was. The door was broken in, and, though the place was found full of smoke, the inspector and the fireman at first searched it in vain for fire. While they were so engaged the heated smoke seemed to break into flame spontaneously, and the whole place was speedily in a blaze. The fire spread first into the warehouses of Messrs. Morley, and then into the premises above. By the aid of the telegraph thirteen engines, six of which were steam fire-engines, including that of Mr. Hodges, were brought to the spot. There was an abundant supply of water, and they played upon the burning mass both from Milk-street and Wood-street. The current of air in Clement's-court and Feathers-alley served to fan the flame, but by about two o'clock the engines had obtained the mastery over the fire, though it was not wholly quenched until some hours afterwards. One after another the floors and parts of the burning roof fell with a noise resembling a discharge of artillery, and alarming the whole neighbourhood. A great crowd collected about the spot, and a strong body of police was present to keep order. Fortunately no lives were lost, though the two women-servants of Messrs. Grant had a narrow escape.

24. ROYAL BOUNTY.—On Christmas Eve, by Her Majesty's command, the children of the workmen and labourers on the Osborne estate assembled in the servants' hall at Osborne, where a Christmas tree with gifts was arranged. At half-past four o'clock the Queen, accompanied by the members of the Royal Family, proceeded to the hall, and, assisted by the Princes and Princesses, distributed the presents to the children, which consisted of articles of wearing apparel, books, toys, &c. The Queen subsequently, in the same manner, gave the labouring men and women great-coats, blankets, and other articles. The ladies and gentlemen of the household and the Rev. G. Prothero and Mrs. Prothero were present.

# OBITUARY

OF

## EMINENT PERSONS DECEASED IN 1863.

### FIELD-MARSHAL LORD CLYDE.

THIS celebrated soldier, whose recently acquired title has not obliterated the more familiar name of Colin Campbell, under which he first won his way to the respect and affection of his countrymen, was born at Glasgow, on the 20th of October, 1792. His father was a Highlander of the name of M'Liver, and he died only a few years ago, supported in his latter days by the bounty of his distinguished son. Mrs. M'Liver was a Miss Campbell; and family circumstances led to their son, the youthful Colin, being brought up by his mother's sisters, who were living in a respectable condition in life in Glasgow; and this circumstance led to the adoption of the maternal name. At the age of 16 he entered the army as an ensign in the 9th Foot. It was in the summer of 1808 that young Colin Campbell found himself gazetted to an ensigncy in that regiment, of which the late Sir Robert Brownrigg, Bart., G.C.B., was then colonel; and it was not long before he took an active share in the hardships and glories of the British army.

He first saw service in the Peninsula. He fought gallantly at Vimeira, and was present at the advance and subsequent retreat of the army under Sir John Moore, at Corunna, and after that engagement returned on leave to England.

Scarce landed from the transport which carried him from the shores of Spain, he was ordered off to participate in the suffering and disasters of the Walcheren expedition in 1809. The fever struck into his body so keenly that, until he went to China thirty years afterwards,

"Walcheren," as he said, "was with me every season." From Walcheren he returned to Spain in 1810, where, with better fortune and guidance, he shared in the battle of Barossa in March, 1811, and the defence of Tarifa on Jan. 5, 1812; and in 1812 he was transferred to a corps of the Spanish army, with which he was actively employed against the French in a long series of harassing skirmishes and operations, which are known to the Spaniards, but not to us, as important actions. In this year he also took part in the unsuccessful movement against the French at Tarragona. In 1813 he joined the Duke of Wellington's army again, and plunged into the thickest of the hard fighting which took place in that memorable year. He had in his first year's service reached the grade of lieutenant; and now, at the age of 21, he had made a name for activity, courage, and determination which began to be heard throughout the army. He passed unscathed through Vittoria, the greatest of our victories, after Waterloo, in that quarter of the century; but in the breach of St. Sebastian he was not so fortunate. He led a forlorn hope which rushed to the aid of the neglected stormers, and he received two wounds in that desperate encounter. On the 9th of November, 1813, he became a captain by brevet, and in that position remained for twelve long years. Captain Campbell had no command of the means which, well employed, might then have secured him a juster reward for his services; but he had ample opportunity of testing every variety of climate and of seeing all kinds of service. In 1823 he served as Brigade-Major of

the force employed in reducing the blacks in Demerara, where he revived the dormant venom of his Walcheren fever. From that period the state of the world, so far as Great Britain was concerned, gave him no opportunity of active work against an enemy, and for many years he was employed on a duty which he often spoke of as most disgusting to a soldier; he was obliged to protect by military force the ejections and sales for the recovery of tithe, then so common in Ireland.

When the interests of commerce and civilization made it necessary for Great Britain to declare war against China in 1842, Colin Campbell, who had been gazetted as Lieutenant-Colonel ten years before, went out in command of the 98th. From China to India is a common step. Colonel Campbell had a short repose in Hindostan, but it was broken by the outbreak of the Sikh war. In virtue of his seniority he was appointed to the command of the Third Division of the army of the Punjab, and he soon flamed out on the field with more than the old Peninsular fire, and led his men with such skill that in all the great battles in which we stood foot to foot with the sternest foe we ever met or are likely to meet in India, his soldiers appeared in the very crisis of the fight. At Ramnuggur, at Chillianwallah, where, in directing a most important and timely movement, he was again wounded, and at Goojerat, he earned the name of an able general in addition to that of the thorough soldier, which he had won and enjoyed so long.

After these events Sir Colin Campbell became the late Sir Charles J. Napier's brigadier-general, and in that capacity he performed many honourable exploits. Soon afterwards, however, he resigned the lucrative appointment which he held, because he would not allow the Governor-General's political agents to dictate to him how he should fight; and the Governor-General preferred losing his services, which he acknowledged in the most flattering terms, rather than have an independent man fighting the battles of England with an energy and skill equalled, or at all events surpassed, by none except Sir Charles Napier himself. He therefore returned to England, having fought not without glory, for his leading the 61st Regiment at the battle of Chillianwallah decided the action, and was greatly instrumental in saving the British army. Indeed, the feat of this regiment on that day, under Sir Colin's leadership, was pronounced by the Duke of Wellington to have been one of the most brilliant exploits ever performed by any regiment of the English army.

Sir Colin remained unattached down to February or March, 1854, but he was then appointed to the command of the Highland Brigade in the army destined for the Crimea; and when the allied armies attacked the Russians on the heights of the Alma he became a conspicuous figure among the foremost in the fray. He flew with his gallant Highlanders to the aid of the Light Division; he had his horse killed under him; and for his dashing conduct at the critical moment in the battle, when he used the memorable words, "Highlanders never retire," he was personally thanked by the Commander-in-Chief, Lord Raglan, at the close of the engagement. During the siege of Sebastopol, the defence of Balaklava was entrusted to Sir Colin. This being the basis of our operations, the responsibility was great, and fortunately it was in good hands. On the 25th of October, 1854, the Turks, after being driven in, left the whole brunt of the attack of the enemy's heavy cavalry to fall on the 93rd Highlanders, who had been drawn up two deep in front of the approach to Balaklava. Some 1500 Russian cavalry observed this regiment by its "thin red streak topped with a line of steel," and dashed down on it in the hope of cutting the brave Scots to pieces. Sir Colin Campbell, undismayed, coolly gave orders for the front line to "prepare to receive cavalry," and when the latter came within 150 yards a rattle of minié musketry from the 93rd sent death and terror into the Czar's soldiers, who wheeled about and fled in the greatest confusion. After the battle, when complimented in flattering terms by Lord Raglan for having achieved so much with infantry in line against cavalry, the veteran replied, "I did not think it worth while to form them four deep." After this affair, Sir Colin Campbell was not called into close conflict with the enemy, their demonstration against his position on the 5th of the following month being but a mere diversion to aid their murderous onslaught at Inkermann. He had been gazetted a major-general in 1854. In the October of the same year he was appointed to the colonelcy of the 67th Regiment. On the 4th of June, 1856, he was made lieutenant-general, and, on returning from the seat of war, he was presented with the freedom of the City of London, and created an hon. D.C.L. at the Oxford Commemoration.

In June, 1857, all England heard with surprise the news of the outbreak of the Indian mutiny, with the sudden death of General the Honourable George Anson, commander of the British forces in the

East. It was at once felt that the emergency was serious, and that it required all the concentrated energy, capacity, and prowess of a well-trained soldier. The demand for a real "general" was urgent; and happily the Government fixed the choice on Colin Campbell. The selection was a fortunate one, and Sir Colin lost no time in obeying the call for his services. At less than twenty-four hours' notice, he left London for the East. Travelling by "express," he caught up the Indian mail at Marseilles, and reached Calcutta the herald of his own appointment. The ready zeal with which he undertook the task of quelling that most dangerous and deadly outbreak, the sound judgment and discretion with which he tempered his eager and impetuous desire to be "up and at" the foe, and his firm and strenuous enforcement of strict military discipline, are as little likely to be forgotten as the brilliant achievements by which he restored the prestige of the English name in India. For this reason it is not necessary to repeat at greater length the story of those achievements. It is enough to say that, acting in conjunction with the Lawrences, Outram, Havelock, Nicholson, and Neill, he saved our Indian empire. In person he directed the relief of Lucknow, and its subsequent siege and capture; and, having trodden out the ashes of the most formidable rebellion which has marked our annals, he was raised to the honours of the peerage of the United Kingdom in 1858 as Baron Clyde of Clydesdale, taking his title from the river by whose banks he was born, as he had not an acre of hereditary or purchased land from which to derive his designation. In the same year he was promoted to the rank of full general. In 1860 he was transferred to the colonelcy of the Coldstream Guards, and so recently as the month of November, 1862, he was presented with the baton of a field-marshal in the army, on the occasion of the attainment of the majority of his Royal Highness the Prince of Wales.

Lord Clyde was also a Knight of the Most Exalted Order of the Star of India, a Grand Officer of the Legion of Honour, and a Knight Grand Cross of the Sardinian Order of St. Maurice and St. Lazarus, and of the Turkish Order of the Medjidie; and he held the honorary command, as colonel, of the 15th Middlesex (London Scottish) Rifle Volunteers.

His remains were interred in Westminster Abbey, not far from the spot where his friend and companion in arms, Sir James Outram, was recently buried. The funeral was attended by the carriages of the Royal Family, and by a large num-

ber of distinguished persons, the friends and comrades of the deceased.

In person Lord Clyde was well knit, symmetrical, and graceful; but of late years his shoulders became somewhat bowed, though he lost little of the activity which was remarkable in so old a man. His crisp, grey locks still stood close and thick, curling over the head and above the wrinkled brow, and there were few external signs of the decay of nature which was, no doubt, going on within, accelerated by so many wounds, such fevers, such relentless, exacting service. When he so willed it, he could throw into his manner and conversation such a charm of simplicity and vivacity as fascinated those over whom it was exerted, and women admired and men were delighted with the courteous and gallant old soldier.

His career affords a remarkable illustration of the value of high character in the profession of arms, and of strength of mind and physical constitution to enable him to wait till opportunity and its golden moment arrives. If such a man live long enough it must arrive; for there is a time in the existence of every nation when she throws aside the frivolous courtiers who have amused her leisure, and seizes instinctively the strong arm which can avert the threatening danger. Lord Clyde's early fortune led him to the West when the Waterloo campaign was about to ennoble its heroes, and to consign the Peninsular soldiers who were not present with them to a long oblivion and obscurity. But he was known even to those who stood in his way as a master of his profession, and he loved it so well that slight and the sense of wrong could not force him to neglect his duty. Duty was to him a sentient, warm-blooded principle, not a cold, passionless, brutish idol, and her first rule was in his mind, "obedience." The struggle to obey left some traces of its influence on his spirit. He could not help at times long ago comparing his position and his services with those of men above him, though he rarely spoke of himself, and there was a loftier independence in his words when he thought of these things, which might have been mistaken for anger. The more he was neglected, the greater became his attachment to the soldier. No man ever studied so thoroughly and knew so intimately the character, the virtues, and the failings of that strange human aggregate which is to so many officers a mere locomotive creature, to be drilled, and wheeled, and reviewed, to be paraded, and black-celled, and be-striped, to be "kept in his proper place"—to be cursed at on occasion too—



as Lord Clyde. His rugged brow knitted fiercely and his eye flashed no doubtful fire if he heard a word spoken to the soldier's disparagement, or detected any action to his detriment. Though he did not call them his children, they were dear to the childless old chief, and, if he addressed them, his words flowed with an eloquence and sympathetic charm which deserted his lips when he had to speak to less congenial audience. When in India the authorities determined on transferring the European soldiers of the Company to the army of the Crown, without seeking their consent, he pointed out to them the injustice and the consequences of the step, and resisted it by every means in his power; but when the Government had resolved to adhere to its policy he repressed the insubordinate outbreaks he had prophesied with vigour and determination.

Looking at his whole career, Lord Clyde was a remarkable instance of the way in which sterling qualities of head and heart may win their way even in the ranks of the British Army. We are accustomed to pride ourselves on the fact that the highest honours of the two learned professions are open to the attainment of the humblest Englishman, but there is a prejudice, not, perhaps, unfounded, that it is otherwise in the army, and that money or interest, or both, are essential to high military rank. Yet Lord Clyde commenced his service as unassisted by wealth or friends as the most unknown and penniless barrister or curate. Nor did he owe his ultimate reputation and success to the opportunity for any very extraordinary services. He rose by the mere force of sterling ability, complete knowledge of his profession, sound sense, high honour, and an honest, industrious, and laborious performance of duty. These qualities alone, and unaided, made him a Field-Marshal, a member of the most distinguished Orders in Europe, and raised him to the English Peerage. He had to wait long—too long, it is true—and often had reason for just indignation at undeserved neglect; but his perfect modesty kept him true to his work, and gave opportunity for his real value to compel his rise. Perhaps he owed as much to the qualities of his heart as to those of his head and his will. The positions he won are hardly open to equal abilities, if marred by an impracticable or ungenerous nature. But men will rarely refuse to recognize true talent when its force is softened by modesty, and its claims made welcome by unselfishness. A merely personal ambition in Sir Colin Campbell might have met with the angry repulse of proud or interested feelings.

But his nature was so retiring, and his modesty so complete, that he excited no personal envy or jealousy. His rise was felt to be simply the natural recognition of talents which the country could not spare; and at the same time his entire generosity prevented his retaining any grudge at past disappointments, and made him always ready to serve others whenever and wherever he was wanted.

Such a life, so simple, so true, so independent of all artificial and even of all extraordinary advantages, is more honourable than more brilliant and less steady careers, and has a far higher value to Englishmen. This country has never been wanting in men of high genius at critical periods of its history, and our great names may match with those of any country and any time; but our greatness as a nation is due more to the steady ability and true integrity which are spread so largely among all classes than to the power of extraordinary and occasional genius. The qualities which in a superior degree raised Lord Clyde to his high position are those which have been always most highly valued by Englishmen, and which every one in his degree may imitate. He lived long enough to illustrate a noble principle, and to give an example of duty, truth, and modest worth which Englishmen will not willingly forget. His memory will long be dear to the hearts of his friends, and when those who knew him have themselves passed away it will be cherished in the grateful and affectionate heart of his country.

#### CHARLES ROBERT COCKERELL, R.A.

In his early life Mr. Cockerell spent many years of careful study among the existing remains of classic architecture in Asia Minor, Sicily, Rome, Pompeii, and elsewhere. In 1811-12 the ruins of the Temples of Jupiter in Ægina, and of Apollo, near Phrygaleia, in Arcadia, were excavated by Mr. Cockerell, in company with Baron Haller, and others. An account of these excavations he published in 1860. The collection of remains from the former edifice is in the Museum at Munich, that of the latter in the British Museum. Subsequently "restorations of far-famed buildings of antiquity as they may once have existed, of the Capitol and Forum of Rome, of the Parthenon, &c.," often employed Mr. Cockerell's talents as an architectural draughtsman. In 1829 he was elected an Associate of the Royal Academy, and in 1836 he attained the honour of a Royal Academician. In 1840 he succeeded Wilkins

as Professor of Architecture, a post he continued to fill with great success, his lectures supporting that reputation for learning and ability which he has always enjoyed. In 1841 he was elected one of the eight *associés étrangers* of the Academy of the Institute of France, and in 1843 one of the ten "members of merit" of the Academy of St. Luke's, at Rome. In 1845 he was created an honorary D.C.L. of the University of Oxford, and in 1848 he was the first to receive the gold medal of the Institute of British Architecture. He was also a member of the Academies of Munich, Berlin, and Berne.

# SIR CRESSWELL CRESSWELL, KNIGHT.

This learned and accomplished jurist was the fourth son of Francis Easterby, Esq., of Blackheath (who on marrying the heiress of John Cresswell, Esq., of Cresswell, took the surname of that ancient Northumbrian family), was born in 1794, and educated at the Charterhouse and Emmanuel College, Cambridge, and was called to the bar at the Middle Temple in 1819. Having attained the rank of King's Counsel in 1834, and led the Northern Circuit with an ability which acquired him high reputation, he was, in 1837, returned to Parliament in the Conservative interest, as member for Liverpool. He continued to represent that constituency till 1842, when, by the Government of Sir R. Peel, he was appointed one of the Justices of the Common Pleas, where he sat for sixteen years. In 1858, on the establishment of the new court for causes connected with matrimony, divorce, and wills, Sir Cresswell was appointed its first judge. The labour of this office was exceedingly heavy, but seemed not to affect him, and he was in apparently robust health when he was thrown from his horse in St. James's-park on the 17th of July, and his knee-joint was fractured. From this he was rapidly recovering, and had quitted his bed, when he was suddenly carried off by disease of the heart, which had been hitherto unsuspected.

As one of the Judges of the Common Pleas Sir C. Cresswell was distinguished for his acuteness and the rapidity with which he grasped the most intricate questions of detail. His knowledge of legal evidence was complete, but it was in his summing-up that he was most distinguished. He would take a difficult case, and step by step, in the most simple manner, would unravel the different threads, and lay the issues simply and

intelligibly before the jury. He had a horror of trickery and double dealing; and woe betide that man who was found intentionally attempting to deceive. His penetration was such that nothing escaped him. But his greatest success in life, and which will ensure his permanent reputation, was his connexion with the Divorce Court. This jurisdiction was allowed on all hands to be a great experiment, and its success or failure depended in a great measure on the judge who should be appointed to carry out the plan. Sir Cresswell Cresswell, with that perfect self-reliance which characterized him, undertook the task; but he could have formed little conception of the amount of business the establishment of the Court would give rise to. The estimated annual number of cases was eighteen to twenty. The first year showed more than 300 cases. This it was supposed was merely exceptional; but the experience of the succeeding years proved that a large annual amount of work was to be reckoned upon. This great accession of business is mainly attributable to the masterly manner in which Sir Cresswell Cresswell formed and developed the practice of the Court. In framing the rules of the Court, and in the five years during which he was its presiding genius, his great object seemed to be to act not only himself, but to compel others to act also on sound principles of common sense. In this object he was eminently successful, and there is no court in the kingdom in which legal proceedings are so simplified as in the Divorce Court. Sitting as judge in the new court, his profound legal knowledge and practised acuteness stood him in great aid. They enabled him frequently to elicit the exact point of the case out of a great mass of irrelevant details. Comments from time to time have been made as to the rapidity with which Sir Cresswell Cresswell got through so many cases. Those, however, who attended his court would at once understand the reason. His perceptions were so rapid and clear, that, as if by intuition, he seemed to fix upon the right witnesses at once, and to extract the truth from them. He knew what evidence would satisfy him, and having obtained all he required, gave his decision. His judgments are admitted to have been masterpieces of sound and logical reasoning, and will long be referred to as precedents. It is remarkable that, although Sir Cresswell Cresswell sat as Judge of the Divorce Court for more than five years and a half, initiated a new practice, and adjudicated upon more than a thousand cases, some of them of a most intricate character; and

although there have been several appeals to the full court, and to the House of Lords, in only one instance was his judgment reversed. Such a result speaks, perhaps, more for the extraordinary abilities and judgment of the late judge than any thing else. As a common-law judge, he had completely to master the old ecclesiastical system of jurisprudence, to prune and cut away the useless, and only to retain the valuable portions. His powers of labour were immense. Since the amended Act was passed, which empowered him to represent the full court for three years, he sat almost daily from November to August, and must have worked late into the night and early in the morning. In his private character and in his own immediate family circle he was greatly prized. His charity was great, but perfectly unostentatious, and his loss has been severely felt.

#### AUGUSTUS LEOPOLD EGG, R.A.

The death of Mr. Egg, the eminent painter, so soon after attaining the full honours of the Royal Academy, and at the early age of 46, will be felt as a great loss to art and the public, as well as to a large circle of friends. For three years Mr. Egg had been a sufferer from asthma, and went to reside in Algiers for the benefit of its genial climate, and for rest from his arduous profession. He had been working at a picture of an Oriental subject, suggested by his residence at Algiers, and it was advancing successfully, when, three weeks before his death, he was again seized with his old complaint; and, despite the efforts to save him of skilful physicians, and the attentions of a devoted wife, he never rallied. He was buried at the New Cemetery, Algiers, on the summit of a hill, commanding a wide prospect over a beautiful vale, all the principal residents, including the Consul, following in the funeral procession. Mr. Egg was born in Piccadilly in 1816. He was the son of Mr. Egg, one of the earliest rifle-makers of celebrity. As in all known instances of subsequent distinction, the *penchant* for art showed itself at an early age. He did not, however, enter the school of the Academy until he was twenty; but he must have studied elsewhere, as he was the same year an exhibitor at the Society of British Artists and the British Institution galleries. His first pictures in the Academy were exhibited in 1838. Possibly from the late Mr. Leslie being then the Academy Professor of Painting, and from a congenial admiration for the sources whence that delightful humorist on can-

vas drew his inspiration, Mr. Egg's earliest pictures were illustrations of Le Sage and Cervantes. One of the best of these, called "The Victim," was painted in 1844, and is in the Vernon Collection, South Kensington. It is taken from the "Diable Boiteux." Next may be named "Gil Blas exchanging the Kings with Camilla," and "The Wooing of Catherine." The exhibition at the Academy, in 1848, of his admirable picture "Queen Elizabeth discovering that she is no longer Young" led to his being elected an associate the same year. Next year he painted, for the late Mr. Brunel's Shakspearian gallery, a scene from "Two Gentlemen of Verona." At the Brunel sale this work fetched 630 guineas. In 1850 he surpassed all previous efforts in "Peter the Great sees Catherine, his future Empress, for the First Time,"—an interesting incident, told with much *vraisemblance* and technical ability. Mr. Egg from this time produced several works of more serious and tragic interest than he had yet attempted. In 1860 he returned to the lighter scenes of Shakspeare, choosing a subject from "The Taming of the Shrew." In the autumn of the same year he was elected an Academician, but never again exhibited. The most salient feature of Mr. Egg's art was its dramatic character. His expression was hardly so subtle as Leslie's, nor his execution so frank and suggestive; but, on the other hand, he was a richer and more powerful colourist. Mr. Egg was a first-rate actor, a fact which will explain the dramatic truth of his pictures. For his many inestimable qualities of heart and head Mr. Egg was esteemed by all who knew him, and numbered many eminent literary men among his personal friends.

#### THE EARL OF ELGIN AND KINCARDINE, P.C., K.T., &c.

James Bruce, eighth Earl of Elgin and twelfth Earl of Kincardine, was the eldest son of Thomas, seventh Earl, by his second marriage, with Elizabeth, daughter of James Townshend Oswald, Esq., of Dunnikier, co. Fife, and was born in London on the 20th of July, 1811. He was educated at Eton, and from thence went to Christ Church, where he was a fellow collegian with Lord Dalhousie, Lord Canning, Lord Herbert of Lea, and Mr. Gladstone. He was of the First Class in Classics in 1832, and subsequently he became a Fellow of Merton College, being known in his father's lifetime as Lord Bruce. In 1841 he entered Parliament as member for Southampton, and as a supporter of Sir Robert Peel; and in the same year he succeeded to the Earl-



dom, which being a Scotch peerage did not interfere with his seat in the Lower House; but this he resigned in 1842, on being appointed to the Governor-Generalship of Jamaica.

When difficulties presented themselves in Canada, Lord Elgin was selected, in 1846, as the best man to grapple with the position of affairs in that colony. He carried out in Canada the conciliatory policy of his father-in-law, Lord Durham, and by preserving a neutrality between parties, by developing the resources of the country, agricultural and commercial, and by seeking in every possible way to study the wishes of the colonists, he, in a reign that extended over eight years, did much to quell discontent and to knit the Canadian provinces closely to the mother country. His services were rewarded in 1849 by his being raised to the British peerage as Baron Elgin of Elgin.

From Canada Lord Elgin was transferred to China as Special Ambassador; and, while on his way to that empire, he learnt by a communication from Earl Canning, that Calcutta, in consequence of the sudden outbreak of the Indian mutiny, was in a state of consternation; and he at once took the decided step of landing the troops intended for China in order that they might take part in the suppression of the rebellion. He passed on to China, and though by this weakening of his force his progress was delayed, yet in the end he succeeded in his aims; he saw Canton taken, and he negotiated the important treaty of Tientsin with the Celestials, which forms the basis of our present relations with them. This was a great triumph, and though there had been much bitter contention as to the policy of Lord Palmerston in prosecuting the Chinese war, yet its successful issue seemed to gratify all parties alike.

In the summer of 1859 Lord Elgin became a member of Lord Palmerston's Cabinet, with the office of Postmaster-General. His brother, Mr. Bruce, had been appointed Envoy in China, and in accordance with the treaty he ought to have been received in Peking. Access to the capital, however, was refused to him, save on conditions which were considered derogatory to the British representative, and when the rights secured by treaty were insisted on, there ensued the disaster of the Peiho. Forthwith, in 1860, Lord Elgin was despatched once more to sustain the English authority, and he thoroughly fulfilled his mission by entering Peking in state, and compelling the submission of the Celestial chiefs.

Scarcely had he gained this triumph than he was appointed to succeed Lord

Canning as Governor-General of India. In this position he was unceasing in his exertions for the development of the great resources of that wide territory, and it is much owing to his judicious arrangements that India has taken a rapid start in improvement, and in financial and commercial prosperity. He provoked no contests, and attempted no acquisition of territory, but maintained external peace, and developed the internal and material resources of the country.

In the autumn of 1863, Lord Elgin started on a tour of inspection of the north of India, with the intention of visiting Cashmere. Lady Elgin accompanied him, as did the Secretaries and other Government officials. On the 13th of November he incurred an unwonted degree of fatigue by ascending on foot one of the Himalayan passes, and was almost immediately seized by illness, which compelled him to take to his bed, at a secluded hamlet, called Dhurumsala, and he never recovered. The "Bombay Times" thus described the course of events during the short remainder of his life:—

"The Viceroy and Governor-General of India died at two o'clock a.m. on the 20th of November, at Dhurumsala, in the valley of Cashmere. Up to the 19th his lordship was quite conscious, fully aware of his state, and perfectly composed. He made every earthly preparation for his departure. He made his will; gave injunctions that he should be buried at Dhurumsala; directed Col. Strachey to design a tomb for his remains; approved of the design when submitted to him; dictated the words of the telegrams that he ordered to be despatched to England, conveying the expression of his duty to his Queen, and the request that Her Majesty would appoint his successor; gave instructions respecting the return of his family to England; took leave of his family, and waited till his end came. His death is a great loss to the British empire: to British India, at such a time as the present, it is a loss which seems irreparable."

Lord Elgin was twice married. By Elizabeth Mary, daughter of C. L. Cumming Bruce, of Rose-isle, co. Sterling, M.P., whom he married April 22, 1841, he left issue an only child, Lady Elma Bruce. Being left a widower in 1843, he married, secondly, in November, 1846, the Lady Mary Louisa Lambton, eldest surviving daughter of John George, first Earl of Durham, by whom he left issue a youthful family. His third son died early this year; his eldest son and successor is Victor Alexander, Lord Bruce, who was



born in May, 1849, and succeeds to the honours, estates, and representation of the family of Bruce.

### THE RIGHT HON. EDWARD ELLICE, M.P.

This gentleman, long and widely known in political circles as an influential member of the Whig party, and an active agent in some of the most important political movements of his time, was the son of Alexander Ellice, Esq., an eminent merchant of the City of London. He was born in 1789, and, after receiving a university education, was for some time engaged in trade, and had a considerable share in the Hudson's Bay Company, besides being a proprietor in Canadian and West Indian lands. In 1818 he was returned M.P. for Coventry in the Whig interest, and, with the exception of four years, from 1826 to 1830, continued to represent that city until his death. Mr. Ellice obtained a conspicuous position in the House of Commons by his business-like habits and his shrewd, good sense. His early political opinions were those half a century ago contemptuously designated as "Radical," and they clung to him, more or less, throughout his public career. He was the early friend and constant companion of Burdett, Lord King, Lord Radnor, Lord Althorpe; and Sir John Cam Hobhouse (Lord Broughton), and the occasional companion of some of Lord Byron's earliest "Hours of Idleness" in London. In 1809, he was proposed by Lord Jersey, and elected a member of Brookes's Club. In the latter society, and as the brother-in-law of the late Earl Grey, he was of course the associate of all the leading Whigs of the past generation. Desiring a seat in the Lower House of Parliament, in 1818 he first successfully contested Coventry, defeating Mr. Joseph Butterworth, the London law publisher, a native of that city. Mr. Ellice's colleague was Mr. Peter Moore. In 1820 he was again returned by the same constituency, and at the head of the poll. His only failure was in the new Parliament of 1826, when two strangers with longer purses defeated him and his old colleague. In 1830 he regained his seat. In 1831 the Liberal party of Coventry returned him with Sir Henry Lytton Bulwer, and after that year Mr. Ellice was not only always re-elected, but his expenses were comparatively small. Perhaps no representative of a large town was ever so long a popular member or was allowed such independent action in the House of Commons. On any unpopular vote in Parliament he was accustomed to make public an explanatory letter to his con-

stituents. If this was not altogether satisfactory, his personal presence in Coventry made every thing right. He never canvassed in the ordinary sense of the term. On his arrival for re-election he addressed the workmen in the manufactories and at their nightly places of resort. It is needless to say that his occasional donations and gifts for public local purposes were most liberal. Among his best Coventry supporters he numbered several masters of Conservative opinions.

In the Opposition minorities of the first three Parliaments of which he was a member he commonly voted in Mr. Hume's divisions, but now and then divided with the majority when he deemed Mr. Hume's motions "Penny wise and pound foolish." On Lord Grey's advent to office, in November, 1830, Mr. Ellice was appointed joint Secretary of the Treasury, having the political department and "Whip" of the House of Commons. At no period of time was that position more arduous; and he was opposed by his friend Mr. Holmes, the Opposition manager—one of the most able of Tory "Whips." But it was "Greek meeting Greek," and Mr. Holmes always said that Mr. Ellice was the most fair, yet fighting, opponent he had ever met in the field of politics. They continued friends till the death of the latter, twenty years ago. On the eventful dissolution of 1831 Mr. Ellice, *virtute officii*, was the principal manager of the general election. His strong common sense and moral courage were of signal service to the Reform interest, and his relations, public and private, with Lord Grey were of great service to the Liberal interest and to the Whig party. He had also a large provincial connexion among the local leaders of the Liberal party, which influence he exercised to the further advantage of the Government, and really on the side of law and order. He was not a member of the Committee of Four who prepared the first scheme of Reform for the approval of Lord Grey's Cabinet; but he was the life and soul of the negotiations which followed the introduction of the Bill, and with Lord Durham and others he stood fast by the clauses enfranchising the Metropolitan boroughs. Mr. Ellice has the credit of the principal agency in the liberal addition Lord Grey, by consent of William IV., made to the number of the peerage after the Reform Bills became law; some of those titles were notoriously compensations for the sacrifice of disfranchised rotten boroughs.

When the great national contest was happily and peacefully ended, Mr. Ellice was thoroughly tired of his vocation. After the new election he resigned the

Secretaryship of the Treasury, and desired no other office in the State. Indeed, he had pressing affairs in the Canadas and in the United States requiring his personal attention. He had actually taken his passage for another voyage across the Atlantic, when he reluctantly yielded to Lord Grey's pressure in accepting the Secretaryship at War, with a seat in the Cabinet. This office he held till the sudden dismissal of the Melbourne Ministry in November, 1834. On that event he went abroad, and was re-elected for Coventry in his absence—his brother, Mr. Russell Ellice, representing him. From this period his official public life ceased, and no inducement could tempt him again to take office. He disliked its shackles, and, in truth, he may have been too independent for it; but he honestly exercised any influence he may have had in forming Ministries, by recommending the best men for the right places. On the breaking up of Whig Ministries his great anxiety seemed to be to secure the interests of the younger men sacrificed in the political changes. Nor was he ever over anxious to recover office for his party. He invariably advised that a Conservative Minister should be allowed to turn himself out; and he more than once wisely counselled his own friends to leave office before they broke down.

Such was his singular public character. He was a politician *sui generis*, and one who cannot be replaced in this generation. Mr. Ellice was at least disinterested. Public life cost him a fortune. It is well known to his intimate friends that the Secretaryship of the Treasury inflicted on him a heavy loss, as he preferred to keep promises he had made in 1831-2, which the party funds could not clear. A peerage was within his reach, and yet unsought, because he preferred the station of a Commoner. He was at least no courtier in the vulgar sense of the term; but he was a loyal subject of his Sovereign, and a firm believer in the superiority of a constitutional monarchy. Very shortly before his death, at the Inverness public meeting he expressed that loyalty in plain but eloquent words. The late Prince Consort much appreciated his judgment on military questions, and yet Mr. Ellice had the manliness in the House of Commons to condemn an appointment in favour of the Prince which he thought was the right of old officers of long and hard service. On the first Levee afterwards he made a point of presenting himself, and he was gratified by a frank and cordial reception. He ever retained his friendships, notwithstanding political differences. He preserved his social intercourse with Lord Derby, with his early

friend the late Sir James Graham, and with others of the old Tory and new Conservative party. For many years he had occasional differences with Lord Palmerston on points of foreign policy; but on his lordship's accession to the Premiership Mr. Ellice promptly and consistently supported his Ministry. He said, "in the state of parties and our foreign relations, Lord Palmerston, like Chatham, was the man for the times." He did not always agree with Earl Russell, but he ever did justice to that noble lord's services to the Liberal cause. Mr. Ellice was strongly opposed to the agitation of further reform in our representative system during the Cabinets of Lord Aberdeen and Lord John Russell, because he thought the measures then proposed inopportune, and that they would prove abortive in the state of parties. He predicted that neither would be read a second time, and such was their stillborn fate. No man knew better by experience the difficulty and danger of a Government in proposing organic reforms not supported by the feeling of a nation.

Mr. Ellice received in 1862 the honorary degree of Dr. of Civil Laws from the University of St. Andrews, and he was a Deputy-Lieutenant of Inverness-shire. He was the original chairman of the Reform Club, mainly established in 1834-5 by his influence. He was the intimate friend of many French statesmen of the Orleans dynasty, and of M. Thiers in particular. With many foreigners he maintained to the hour of his death confidential correspondence. He was true to old friends, alike in adversity and in prosperity.

Mr. Ellice married first the youngest sister of the late Earl Grey, widow of Captain Bettesworth, R.N., by whom he had an only son, Mr. Edward Ellice, M.P. for the Inverness Burghs. His first wife died on the 28th of July, 1832. In 1843 he married Lady Leicester, the relict of Mr. Coke of Holkham, the first Earl Leicester, who died in the following year. These marriages early and late allied him with distinguished members of the Whig aristocracy. Lady Leicester was the third daughter of the fourth Earl of Albemarle.

#### JOSEPH GWILT, F.S.A., F.R.A.S.

Mr. Gwilt was born in the parish of St. George the Martyr, Southwark, on Jan. 11, 1784. He was the younger son of Mr. George Gwilt, architect, Surveyor to the county of Surrey, and was educated at St. Paul's School. He was admitted a student of the Royal Academy in 1801, and gained the silver medal of that Society in the same year for his drawing of the

tower and steeple of the church of St. Dunstan-in-the-East. Soon afterwards he visited Rome and other cities of Italy, and on his return published a work entitled "*Notitia Architectonica Italiana*; or, Concise Notices of the Buildings and Architects of Italy." From that time Mr. Gwilt continued to add to the stock of architectural literature by various works bearing upon the subjects of his profession, which were favourably received by the public. Among these were an octavo edition of Sir Wm. Chambers's "*Treatise on the Decorative Part of Civil Architecture*," which Mr. Gwilt enriched with many valuable notes; also a translation of "*The Architecture of Vitruvius*," in ten books, which was followed by a "*Treatise on the Rudiments of Architecture, Practical and Theoretical, with Plates*," and in 1842 by the publication of "*An Encyclopædia of Architecture, Historical, Theoretical, and Practical*," illustrated with very numerous engravings. The latter work went through no less than five editions. Mr. Gwilt also contributed numerous papers to various periodical publications. Nor were his studies limited to the range of his own professional pursuits. In 1828 Sir Harris Nicolas dedicated to him his volume of "*A Roll of Arms of Peers and Knights in the Reign of Edward the Second*," for which Mr. Gwilt had formed an Ordinary, or technical index, with considerable labour. In the following year he showed his addiction to philology by publishing, in an octavo volume, "*Rudiments of a Grammar of the Anglo-Saxon Tongue*." In 1833 he was elected a member of the Royal Astronomical Society, having always upheld the importance to the architect of being a sound mathematician. In addition to his other acquirements, he was an accomplished musician; and the treatise on the Art of Music, published in the "*Encyclopædia Metropolitana*" in 1835, was from his pen.

Mr. Gwilt's works as a practical architect included the church at Lee, near Lewisham, lately pulled down, and the approaches to Southwark Bridge. His principal work was Markree Castle, near Sligo; and one of his most recent was the Byzantine church at Charlton, near Woolwich, dedicated to St. Thomas. He also designed and executed additions and alterations to the Hall of the Grocers' Company, on the premises extending from Grocers' Hall-court in the Poultry to Prince's-street by the Bank; in which latter street an elegant Italian doorway may be judged as having come from his hand. To this Company he was surveyor. He held a similar office for the Wax-

chandlers'; and he was also architect to the Imperial Insurance Company.

Mr. Gwilt was frequently consulted by the Office of Woods and Forests, and his evidence was commonly sought for by committees and commissions on questions relating to the subjects over which his wide range of study and pursuit extended. Though known as the author of few designs or erected buildings, he possessed in an eminent degree the combination of attainments required in the practical architect; and the manner in which these attainments were turned to account for the benefit of the profession and students, should entitle his name to permanent gratitude.

Mr. Gwilt left two sons surviving him, one of whom, John Sebastian Gwilt, has co-operated with him in some of his valuable works on architecture.

#### JAMES DUFFIELD HARDING.

This eminent artist and teacher was born at Deptford in 1798. At the age of 15 he received a few lessons from Prout, but failing to satisfy his own conceptions in his attempts to draw from nature, he resolved to abandon the idea of becoming a painter. He was then placed for a while under Mr. Pye, the engraver, but after a year's trial returned to painting, and worked hard from nature till he had acquired an unusual degree of facility in sketching. At the age of 18 he gained a silver medal from the Society of Arts. As a teacher he soon met with great and well-deserved success. The difficulty which he found in providing examples of foliage for his pupils while acquiring a ready use of the pencil, led him to turn to the newly-introduced art of lithography for a remedy. He produced in succession a large number of lithographic sketches and studies of trees, almost perfect fac-similes of his own pencil sketches, and superior to any drawings of foliage previously produced for the use of learners. Mr. Harding was one of the first to adopt in the practice of lithography the method of working on the stone with a brush instead of a crayon, by which greater facility was obtained. One of the earliest works published in this style was a series of "*Sketches at Home and Abroad*," drawn by himself on stone from his own sketches. Another remarkable series of lithographic drawings was that termed "*The Park and the Forest*," consisting of a set of admirably drawn folio studies of trees. No one has yet approached Mr. Harding in the power of drawing trees with perfect truth to nature and at the same



time with brilliant artistic effect. He subsequently published a series of preceptive manuals, the first of which was styled "Elementary Art; or, the Use of the Lead Pencil Advocated and Explained." This was followed by a still more elaborate work on "The Principles and Practices of Art, Composition, Light and Shade, &c."

As an artist, Mr. Harding became celebrated by his water-colour pictures, which for a long series of years formed a prominent feature in the annual exhibitions of the Society of Painters in Water Colours. In this branch of art he also struck out a line for himself. He was the first to carry to a great extent the free use of body colour, using transparent colour with or over it. Although many have questioned whether this practice is to be regarded as an improvement, there can be no doubt that in his hands the process was a very effective one. His example was speedily followed by other artists, both in figure and landscape. Some ten or twelve years ago Mr. Harding turned his attention chiefly to painting in oil, and he carried into this branch many of the excellences which had distinguished his drawings in water colours.

The landscapes of Mr. Harding are extremely numerous, and include a very wide range of subjects and scenery. His subjects include sea and land, mountains and plains, palaces and rural cottages. Few painters have tried so many varieties and succeeded so well in each. His extraordinary manipulation, dexterity, and rapidity of perception, while they gave him unrivalled power as a landscape-sketcher, did not, however, enable him to reach that higher perfection of art as a landscape-painter which consists in seizing the inner spirit and sentiment of the scene portrayed, and in "gaining," to use his own language, "that something from nature beyond what is revealed to the sight," without which true grandeur or poetic refinement is not to be attained. Nevertheless he has left a name which will long hold an honourable place in the annals of English art.

#### THE MARQUIS OF LANSDOWNE, K.G.

Henry Petty Fitzmaurice, the son of the first Marquis of Lansdowne (better known as Earl of Shelburne, the Premier in the Coalition Ministry of 1782) by his second wife, Lady Louisa Fitzpatrick, daughter of the Earl of Upper Ossory, was born at Shelburne (now Lansdowne) House, July 2, 1780. He was educated in succession at Westminster School, at

Edinburgh, and at Trinity College, Cambridge, and afterwards travelled for some time on the Continent, accompanied by M. Dumont, subsequently well known as the translator of the writings of Jeremy Bentham; and shortly afterwards commenced his public life by taking his seat in the House of Commons, as member for the borough of Calne. At this time Lord Henry Petty was but twenty-two years of age, and during the first year or two of his parliamentary course he manifested none of those qualities which have subsequently characterized it, except modesty and caution; but by preserving an entire silence he declined to commit either his principles or his reputation. His first speech in Parliament was delivered on the 13th of February, 1804, on the Irish Bank Restriction Bill, and in this early effort he not only indicated the superior talents that he possessed, but also the path in which they were destined for a time chiefly to be employed. But it was not until April, 1806, that Lord Henry Petty fully discovered to the House of Commons those talents which made him the worthy opponent of Mr. Pitt. This was on the debate respecting the conduct of Lord Melville as Treasurer of the Navy. Mr. Pitt, on this occasion, interposed his shield before his colleague; in spite of which Lord Henry Petty prosecuted his attack with energy until he had fixed upon the Treasurer the charge of speculation and corruption. This was a most powerful and happy effort. It evinced so comprehensive a knowledge of his subject, such aptitude at arrangement and argument, such nervous and manly eloquence, as gained the warmest applause, and drew from his friend Mr. Fox in particular a tribute of admiration the most cordial and flattering, and led shortly after to his entrance on official life, in the Ministry familiarly known as that of "All the Talents," of which Lord Grenville was the nominal head and Fox the directing genius; Lord Henry Petty became the Chancellor of the Exchequer, and at the same time was returned to Parliament as member for the University of Cambridge in the place of Pitt. He was opposed by Lord Althorpe and Lord Palmerston, but at the close of the contest the numbers were—Lord Henry Petty, 331; Lord Althorpe, 145; Lord Palmerston, 128: so that his triumph was signal and complete. The duration of the Grenville ministry was scarcely sufficient to test the young Chancellor of the Exchequer as a financier; but it was marked by the abolition of the slave trade, and attempts to accomplish other measures which have since become the law of the land, and of



all these he was the strenuous and able advocate. He was also a consistent advocate of the repeal of the penal laws, and the granting of Catholic emancipation; and on this subject his views were entitled to greater weight on account of the extent of his landed property in Ireland, and his consequent acquaintance with the state of things in that country. The Ministry were little more than a year in power, and only half a year after the death of Fox. In the same month in which Pitt resigned his life, Nelson was buried in St. Paul's Cathedral; and before Pitt had passed away, Fox, while paying the last honours at the grave of the mighty Admiral, was struck with the hand of death. Fox lingered seven months in office, and died on the 13th of September, 1806. The Cabinet with which Lord Henry Petty was associated continued in office but a short time after the passing of the measure for the abolition of the slave trade. Their total failure was upon the Catholic Relief Bill. Lord Henry Petty lost with office what he valued far more, his seat for Cambridge University; and he sat for a few months as M.P. for Camelford, when, in Nov. 1809, he was transferred to the House of Peers, the Marquisate of Lansdowne devolving upon him by the death of his half-brother. In 1820 he anticipated the measures of the present day by a speech in favour of free trade and the removal of shackles from commerce at home and abroad. In 1822 he brought forward a motion for the consideration of the sufferings and grievances of Ireland; and in 1824 he strongly urged upon the government of Lord Liverpool the necessity of acknowledging the independence of the South American republics. In 1826, when Mr. Canning took office on moderate Liberal principles, Lord Lansdowne responded to his call, and became Home Secretary. Under Mr. Canning's successor, Lord Goderich, he held the seals of the Foreign Department, but the short duration of the Ministry did not give him time to develop his capacity in the wide range of foreign politics.

After remaining in opposition to the Duke of Wellington from 1829 to 1831, Lord Lansdowne took office under Earl Grey, as Lord President of the Council, in which position his judgment and experience were of great service to his party; and he aided in carrying the Reform Bill through each of its successive stages. On the accession of Sir Robert Peel he became the recognized leader of the Opposition in the House of Lords; a position in which his manly courtesy, his dignity, and generous disposition con-

ciliated the respect and esteem of his opponents. During Lord John Russell's tenure of office he held the Presidentship of the Council, and he went into opposition with him on the advent of Lord Derby, yet he refused the reins of government, and suffered them to pass into the hands of Lord Aberdeen in December, 1852, though requested by the Queen to undertake the premiership; he consented, however, to hold a seat in the Cabinet, without office, as the Duke of Wellington had done in that of Sir Robert Peel. The influence of Lord Lansdowne upon his party had been of late years conservative in its bearing; for fifty years the advocate of liberal measures, he was satisfied with the progress that had been made, and he had no wish to endanger the cause of good government by countenancing crude and ill-considered projects and sweeping changes.

When he entered the House of Commons, sixty years ago, he had little to learn with regard to the rights, interests, and duties of mankind in political society. Yet such were his good sense and moderation that the possession of this abstract knowledge never made him conceited or dogmatic, never urged him to the defence of paradox, or pushed him to speculative extremes. The last forty years of his life were a continued triumph of those principles. Lord Lansdowne had the happiness, at the close of a long and consistent career, of seeing his fellow-countrymen almost unanimously adopt the views that he held in early youth. He had little to retract, little to modify, little to extend. There is probably no statesman who would come out more unscathed from the crucial test of a recurrence to the pages of "Hansard." The same moderation and prudence pervaded his conduct in political conjunctures. He so identified himself with his party as to show no semblance of personal ambition. The highest rank in the peerage was at any time within his reach, and more than once an honour which few men would be found to refuse, the office of Prime Minister, had been pressed upon him; but he was content, as well he might be, with the position he held. He was anxious to serve his party and obtain the triumph of his principles; but he had no wish for mere display or prominence in the public eye. He strove to live at peace with all men; his friends he held together by his eminent services and his unswerving consistency; his opponents he conciliated by his courtesy, his moderation, and the tolerance with which a liberality something very different from mere Liberalism led him to treat opinions the most con-

trary to his own. Never were the dignity and courtesy of the House of Lords better sustained than under his leadership. He never lost a political friend; he never exasperated a political adversary. His wealth and power have been used to a remarkable degree in furtherance of public objects. It was to him that we owed the introduction of Lord Macaulay to public life, and no man has been more anxious to employ patronage and interest for the promotion of merit. Lord Lansdowne had a keen relish and a cultivated taste for literature. He had formed a splendid library, and was to the last an unwearied reader. He formed for himself one of the noblest collections of the country, and adorned his house with statues and specimens of art long before the taste for such things had revived among us. His manners were gracious, simple, and dignified; his conversation easy, full of anecdote and cheerfulness; and no one knew better how to grace a splendid and almost boundless hospitality. He was the counsellor to whom the Queen, especially since the death of the Prince Consort, would naturally look for advice in questions beyond the domain of party politics, and in whose judgment and moderation all parties had implicit reliance.

The Marquis married March 30, 1808, Louisa Laura, fifth daughter of Henry Thomas, second Earl of Ilchester, by whom (who died in 1851) he had issue (1) William Thomas, Earl of Kerry, M.P., born March 30, 1811; married March 18, 1834, the Hon. Augusta Lavinia Priscilla Ponsonby, second daughter of Lord Duncannon; and died August 21, 1836, leaving issue by his wife (who married in April, 1845, the Hon. C. A. Gore) one daughter, Lady Mary Fitzmaurice, who married, in 1860, Colonel the Hon. Percy Herbert, C.B., Deputy Quarter-master-General, brother of the Earl of Powis; (2) Henry, Earl of Shelburne, born January 5, 1816, M.P. for Calne from August, 1847, to June, 1856, when he was summoned to the House of Lords as Baron Wycombe; a Lord of the Treasury in 1847; Under Secretary for Foreign Affairs from June, 1856, to March, 1858; (3) Lady Louisa Fitzmaurice, married to the Hon. James Kenneth Howard.

Till within a year or so, his lordship exhibited few of the infirmities of advanced age except deafness; but his health then began to decline, and his death was hastened by an accident which occurred on the 21st of January. As he was entering the house from the terrace at Bowood, he stumbled and fell heavily, cutting his head severely, and dividing an artery, from which a violent

hemorrhage ensued. A few days afterwards he began to sink, and never afterwards rallied.

The fifth ancestor of the late Marquis, and the founder of the family, was one Anthony Petty, a clothier, who early in the seventeenth century lived at Romsey, in Hampshire. His son, William Petty, was born in 1623, and was educated in his native town. In his youth he was remarkable for his inventive genius, and at the age of 15 he had a fair knowledge of the Greek, Latin, and French languages, and a creditable acquaintance with geometry and astronomy. He entered the navy, but soon after left it; he tried merchandise for a time, and left that also; he then invented a copying machine, but received no profit from it; he turned to medicine, and dissected in Paris under the guidance of Hobbes, the author of "The Leviathan;" he became Professor of Anatomy at Oxford, and also held the office of Professor of Music at Gresham College. Eventually he became physician to the Irish army during the Protectorate; and beside these occupations he contracted for the admeasurement of forfeited lands in Ireland, his survey being still of great value in the law courts as a work of reference. He was knighted by Charles II. Sir William was one of the founders of the Royal Society; he invented a double-bottomed vessel to sail against wind and tide; and, finally, by various important works on taxation and national wealth, he laid the foundation of the science of Political Arithmetic. In December, 1687, he died at his house in Piccadilly, at the age of 64, and was buried in his native town, in the church of which there is a monument (a recumbent effigy in free-stone) erected by the late Marquis to his memory. Sir William left personal estate to the amount of 45,000*l.*, and landed property to the value of 6500*l.* a year. He married a lady who was Baroness Shelburne in her own right, and by her daughter, his only surviving child, who intermarried with the Kerry family, he became the great-grandfather of the Earl of Shelburne, the father of the deceased peer. This nobleman, who was created Marquis of Lansdowne in 1784, when he retired from public life, indulged his congenial tastes in the adornment of Lansdowne House, Berkeley-square, where he collected a splendid gallery of ancient and modern pictures, and statuary, together with a library of 10,000 volumes, comprising the largest assortment of pamphlets and memoirs on English history and politics possessed by any man of his time, as well as a series of manuscripts, the greater part of which were subse-

quently dispersed by his eldest son. When that son was succeeded by the late Marquis, the first care of the latter was to purchase the antique marbles from his sister-in-law, and there at Lansdowne House they may now be seen—some of them, as the youthful Hercules and the Mercury, justly considered the finest statues of the kind that have found their way to this country. As for the pictures, when the Marquis succeeded to the title there was not one in this splendid mansion, with the exception of a few family portraits; but love of art was an instinct of the family, and Lord Lansdowne set himself to the formation of a gallery, which comprises nearly 200 pictures of rare interest and value, though miscellaneous in their character, no school nor master predominating, unless it be Sir Joshua Reynolds. Some of the portraits in this collection are of great interest, especially that of Pope by Jervas; Reynolds's portrait of Sterne; one of Franklin, by Gainsborough; one of Peg Woffington, by Hogarth; two of Lady Hamilton, from the pencil of Romney; and the lovely portrait of Mrs. Sheridan, as St. Cecilia, painted by Reynolds.

#### THE RIGHT HON. SIR GEORGE CORNEWALL LEWIS, BART., M.P.

This eminent scholar and statesman was the eldest son of the Right Hon. Sir Thomas Frankland Lewis, Bart., of Harpton Court, Radnorshire, by his first wife, Harriet, fourth daughter of Sir George Cornwall, Bart. He was born in 1806, and was educated at Eton, and subsequently proceeded to Christ Church, Oxford, at which university he took high honours, being First Class in Classics, and Second Class in Mathematics, 1828. He adopted the law as his profession, and was called to the bar at the Middle Temple in 1831, but practised only for a short time. In 1835 he was appointed one of the Commissioners of inquiry for the relief of the poor and into the state of the Church in Ireland; and in the following year was placed on the Commission of inquiry into the affairs of Malta; and was a Poor-law Commissioner from January, 1839, to July, 1847, when he was first elected member for the county of Hereford in the House of Commons. He sat for that county till 1852, and from March, 1855, to his death, represented the Radnor district of boroughs. He succeeded to the baronetcy on the death of his father in 1855. Sir George filled numerous important offices in the Government. He was Secretary to the Board of Control from November, 1847, to May, 1848; Under Secretary for the Home

Department from May, 1848, to July, 1850; Financial Secretary to the Treasury from July, 1850, to February, 1852, and Chancellor of the Exchequer from March, 1855, to February, 1858; and was appointed Secretary of State for the Home Department in June, 1859. On the resignation in July, 1861, of the late Lord Herbert of Lea (Sidney Herbert), Sir George was selected by Lord Palmerston to fill the difficult and arduous office of Secretary of State for War, which office he held till his death.

He married, in 1844, Lady Maria Theresa, widow of Mr. Thomas Henry Lister, and sister of the Earl of Clarendon. Having left no issue he is succeeded in the baronetcy by his brother, the Rev. Gilbert Frankland Lewis, Canon Residentiary of Worcester.

Sir George C. Lewis was a distinguished scholar, and the author of various political and historical works, and for a short period was editor of the "Edinburgh Review." Among other works, he was the author of "An Essay on the Use and Abuse of Political Terms," "An Essay on the Origin and Formation of the Romance Languages," "On Local Disturbances in Ireland and the Irish Church Question," "An Essay on the Influence of Authority in Matters of Opinion," "An Inquiry into the Credibility of the Early Roman History," "An Essay on the Government of Dependencies," "On the Method of Observation and Reasoning in Politics," an elaborate treatise "On the Astronomy of the Ancients," &c. &c. He was also the translator of Boeckh's "Public Economy of Athens," the compiler of "A Glossary of Provincial Words used in Herefordshire," and only a very short time before his decease he had issued "A Dialogue on the best Form of Government."

His death was very sudden. He had been in but indifferent health during the winter, and going into the country for the Easter recess, he caught a cold, which was followed by a bilious attack, under which he sank in a couple of days. His decease was justly regarded as a public loss. The following estimate of his character, which appeared in the "Times" newspaper, is one to which all who knew him will readily assent:—

"Sir George Lewis was not a showy character, and especially he did not shine much in those debates from which the country at large learns to estimate the position of a Minister; but his wonderful power of mastering any subject, his clear head, his sound sense, and his practical ability were fully recognized, and spite of his slow and hesitating manner, his voice had an authority in the



House of Commons which men of much more eloquence might have envied. In that assembly, the most critical in the world, no one commanded more attention when he chose to speak, and no man was more entirely trusted. A doubt might attach to the speeches of other Ministers. This one might be supposed to be careless, that to be occasionally ill-informed, and a third to be capable of intentional ambiguity. It was certain that Sir George Lewis would always be accurate and truthful; and he more than made up for the want of brilliancy by the worth of his character and by the completeness of his work. There are not a few men in Parliament who have combined literary ability with skilful statesmanship; but it is rare to see that kind of literary ability which he displayed combined with legislative and practical talents. He was unquestionably one of the most learned Englishmen of his generation. His erudition included all ancient and modern literature, and it was as accurate as it was extensive. Much of it was of a sort which is supposed to belong only to a recluse. Sir G. Lewis moved freely under his weight of knowledge, and while he was oppressed with the cares of office, and with the necessity of being every night in his place in Parliament, he could find leisure to disport himself in some department of forgotten lore, and would astonish the world by his elaborate research into the abtruser questions of ancient history and philosophy."

#### LORD LYNDHURST.

The Right Hon. Sir John Singleton Copley, S.L., P.C., F.R.S., D.C.L., Baron Lyndhurst, of Lyndhurst, in the county of Hants, High Steward of the University of Cambridge, and one of the Governors of the Charterhouse, a great lawyer, orator, judge, and statesman, was the son of the eminent painter, John Singleton Copley, Esq., R.A., by his wife, Susan, daughter of Richard Clark, Esq., a wealthy merchant in Boston, United States, and agent of the East India Company for their tea trade there, and was grandson of Richard Copley, Esq., of the county of Limerick, by his wife, Sarah, younger daughter of John Singleton, Esq. John Singleton Copley, the future Lord Lyndhurst, was born May 21, 1772, at Boston, America, then a town of the British empire, and was, when two years of age, brought to England by his father. He was educated first by a private tutor, and afterwards at Trinity College, Cambridge, where he soon obtained a scholarship. He also won the second Smith's

prize (mathematical), and was selected Fellow of his college, and was appointed travelling Bachelor of the University in 1795, and took the opportunity of visiting his birthplace, Boston. On his return to England, in 1797, he proceeded M.A., and shortly afterwards he entered himself of Lincoln's Inn, and was called to the Bar on the 8th of June, 1804. He chose the Midland Circuit, and was made Serjeant-at-Law in 1813. He first became prominently known from the ability he displayed as one of the counsel who defended Watson and Thistlewood, tried for high treason in 1817. He entered Parliament as member for the borough of Yarmouth, Isle of Wight, on the 28th of March, 1818, having the same year become a King's Serjeant and Chief Justice of Chester. He afterwards sat for Ashburton and the University of Cambridge. He was soon looked on as the most rising lawyer of his party (the Tory side) in the House of Commons, and, a convenient opportunity presenting itself by the removal of Sir Samuel Shepherd to the Scotch Bench, Copley was appointed Solicitor-General in July, 1819, and was knighted. He, while holding the office of Solicitor-General in 1820, was engaged for the Crown in two memorable cases—viz., the trial at the Old Bailey of the Cato-street conspirators and their ring-leader, his former client, Thistlewood; and the proceedings against Queen Caroline, in the House of Lords. In both affairs, Sir John Copley displayed remarkable eloquence, judgment, and forbearance. He became Attorney-General in 1824, and Master of the Rolls in 1826. He at first energetically opposed the Catholic claims, but afterwards sided with those who felt the absolute necessity of Catholic Emancipation being carried. He took office in the Cabinet formed by Mr. Canning in 1827. He was appointed Lord Chancellor for the first time April 20, 1827, and was created Lord Lyndhurst on the 25th of the same month and year. While he held the seals, under the premiership of the Duke of Wellington, the Catholic Emancipation Bill was carried. He retired from the chancellorship on the accession of the Whigs to power in 1830, but was appointed Lord Chief Baron of the Exchequer early in 1831, and in that office showed himself to be an acute and high-minded common-law Judge. In the House of Lords he opposed the Reform Bill with all his energies and eloquence, and was the virtual leader in the Tory struggle. He declared the measure to be detrimental to the rights of the people and inconsistent with the prerogative of the Crown. One crisis in the history of



the bill he mainly brought about by his motion for the postponement of the disfranchising clauses, his carrying which caused the Ministry to temporarily resign, on the 9th of May, 1832. Lord Lyndhurst, on the formation of Sir Robert Peel's short Administration in 1834, was again appointed Lord Chancellor, but again retired in April, 1835. He was elected High Steward of the University of Cambridge in 1840. In 1841 Sir Robert Peel returned to power, and Lord Lyndhurst for the third time accepted the chancellorship, which he finally resigned in July, 1846. He nevertheless took subsequently an active part in the debates of the House of Lords, and retained his weight and influence, by the force of his high character, wisdom, and eloquence there, to the very last year of his life. It should be observed that, as presiding in the Courts of Exchequer and Chancery, Lord Lyndhurst had been pre-eminent, and his judgments in Baron de Bode's case, in "*Small versus Attwood*," the Thellusson case, and the Bridgewater case, are looked on as models of lucid reasoning and admirable diction. His speeches in the Lords, when past eighty years of age, on the war with Russia, on Cambridge University Reform, the Wensleydale peerage, and the defences of the country, are no less specimens of brilliant and sagacious eloquence. Lord Lyndhurst, on the death of the venerable Lord Sinclair, just twelve days before his own demise, became the senior Peer of the House of Lords. Lord Lyndhurst married, first, March 13, 1819, Sarah Garay, daughter of Chas. Brunsden, Esq., and widow of Lieut.-Col. Chas. Thomas, 1st Foot Guards, who fell at Waterloo, and his lordship by her (who died Jan. 15, 1834) had a son and four daughters, of whom the son and two daughters died young, and the two surviving daughters have been married—viz., Sarah Elizabeth, in 1850, to Henry John Selwin, Esq., eldest son of Sir John Thomas Selwin, sixth and present Baronet, of Leeds, Yorkshire; and Sophia Clarence, in 1854, to Hamilton Beckett, Esq. Lord Lyndhurst married, secondly, Georgiana, daughter of Lewis Goldsmith, Esq., by whom he had another daughter, Georgiana Susan, who was married, the 25th of June, 1863, to Charles Du Cane, Esq., M.P. Lord Lyndhurst died on the 12th October, 1863, at his town house (the same that had been his father's), 25, George-street, Hanover-square, and, as he left no male issue, the barony of Lyndhurst became extinct.

### WILLIAM MULREADY, R.A.

This eminent artist was born at Ennis, in Ireland, in 1786, six years before the death of Sir Joshua Reynolds, and was admitted a student of the Royal Academy when only fourteen. He had before this gained the favourable notice of Banks, and permission to draw in the sculptor's studio. Like many other painters known to us by works unpretending in subject and of "cabinet" size, his first attempts were on themes and of the scale proper to high art—a discipline which, like the "large-hand" of the schoolboy, always bears good fruit. Sketches for such subjects as "*Polyphemus and Ulysses*," "*The Disobedient Prophet*," &c., were in the exhibition of his works at the Society of Arts in 1848. Whether from want of encouragement or natural bias, he soon confined himself to small pictures of simple incident or careful studies from nature, and he adhered to his early choice with that singleness of aim which ensures success. He for a time painted in a low key, with brown shadows, and his figure-subjects showed in other respects the influence of Wilkie and the Dutch masters. In little "bits" of landscape he first manifested a fresher feeling for colour. Some of these, taken from the neighbourhood of Hampstead-heath and the Kensington gravel-pits, then a favourite haunt of landscape-painters, give, perhaps, the earliest indication of that peculiarly close and accurate study of nature which distinguish all his best works. In them, and also the figure-pictures of his best (middle) period, he completely anticipated and fully realized what the pre-Raphaelites long after professed for the first time to aim at, and only for the most part imperfectly attained. Among the most important pictures of the first ten years of his career were "*The Rattle*" (1808), "*The Roadside Inn*" (1811), "*Punch*" (1813), and "*Idle Boys*" (1815). In November of 1815 he was elected associate, and only three months later full member, of the Academy, being one of the very few artists upon whom the two honours have been conferred within the year. During the next ten years were produced some of his most humorous pictures, chiefly of boy life and village incident. About the years 1833-5 Mulready commenced developing new and more essentially artistic qualities, particularly exquisite purity of colour and consummate refinement and variety of execution. In 1844 Mulready executed a series of illustrations for an edition of "*The Vicar of Wakefield*," and from this source have been derived some of his most important pictures, including "*The Whistonian Con-*"

troversy," "Burchell and Sophia," and the much more exquisite "Choosing the Wedding Gown," purchased by Mr. Sheepshanks for 1000 guineas. Nearly equal to the last in colour, and more solidly painted, is "The Butt—shooting a Cherry" (1848). Of later works must be named "The Bathers" (1849), "The Music Lesson" (1850), "Blackheath Park," "The Young Brother" (commissioned before his death by Mr. Vernon for the collection he bequeathed to the nation), "Just as the Twig is bent," &c. (1859), and "The Toy-seller" of last year. The two last are replicas, like several other of his works. Mulready's drawing was his most constant merit. His draughtsmanship showed the most minute knowledge of the nude and of structure in the natural world, yet it was always large in manner and flowing in contour. His drawings in black and red chalk from the male and female model, and the studies for his pictures, excepting occasional smallness of the extremities and a little want of decision in the former, remind us of similar works of the old masters. Thanks to Mr. Sheepshanks in particular, all the chief phases of Mulready's art are very completely exemplified in our National Gallery.

#### THE MARQUIS OF NORMANBY, K.G., G.C.B.

Constantine Henry Phipps, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave, of Mulgrave, Yorkshire, in the peerage of the United Kingdom; Baron Mulgrave, of New Ross, co. Wexford, in the peerage of Ireland, was the eldest son of Henry, first Earl Mulgrave, by Martha Sophia, daughter of the late Christopher Thomson Maling, Esq., of West Herrington, Durham. He was born on the 15th of May, 1797, and received his education at Harrow School, and at Trinity College, Cambridge, at which university he took his degree as M.A. in 1818. Shortly after he attained his majority he entered Parliament as member for Scarborough, a borough wherein his family had great influence. His first speech in the House of Commons, made in 1819, was in favour of the Roman Catholic claims, and was considered by his political friends a decided success. He also earnestly seconded Lord John Russell's resolutions on reform in a speech somewhat in advance of his party, but shortly afterwards resigned his seat in Parliament (his opinions not being those of his family), and retired to Italy. In 1822 he was elected member for Higham Ferrars, and he shortly afterwards returned home to resume his position in the House of Commons. About that time he

wrote several political pamphlets of considerable ability. In 1826, at the general election, he was elected representative of the borough of Malton, and gave his support to Mr. Canning's administration. He was then a Liberal, and a popular member in the Lower House. In the summer of 1832, having the previous year succeeded his father as Earl Mulgrave, he was appointed Captain-General and Governor of Jamaica, an office which he filled with much credit. On the formation of Lord Melbourne's first administration, Lord Mulgrave accepted the post of Lord Privy Seal, with a seat in the Cabinet. In April, 1835, Lord Melbourne being again in office, the late Lord was selected for the important post of Lord-Lieutenant of Ireland. His reception in Dublin the following month was enthusiastic, and altogether he was a popular viceroy. In June, 1838, he was created Marquis of Normanby. In February, 1839, he succeeded Lord Glenelg as Secretary of State for the Colonies, an office he held but a few months, as he removed in August of that year to the Home Department, which post he held till September, 1841. In August, 1846, he was appointed ambassador at Paris, where he remained till the early part of 1852; in the latter part of that year he had a very serious illness, which so affected his general health that he was advised to reside abroad. It was while there that he accepted from Lord Aberdeen's Government in 1854 the post of Minister at Tuscany—a country where, at different times, he had passed many years; but he resigned the office in 1858. Returning home in time for the first meeting of the present Parliament, he denounced in a speech, delivered that night, the grounds on which it was attempted to remove the Ministry of Lord Derby, and objected to any change which should place the supreme control of Foreign Affairs again in the hands of Lord Palmerston, whose recognition of the French Republic of 1848 he entirely disapproved of. From that time his general course of policy was in conformity with the declarations he made upon his first return to England.

The late peer, besides his political writings (one of which published in 1861, a pamphlet on Italian affairs, created a controversy with Mr. Gladstone), was the author of several works of fiction, among others, "Yes and No," "Matilda," "The Contrast," &c.

His lordship married, the 12th of August, 1818, the Hon. Maria Liddell, eldest daughter of Thomas Henry, first Lord Ravensworth, by whom he left issue an only son, George Augustus Constantine, Earl of Mulgrave.

In 1832 his lordship was made a Privy Councillor, and nominated Knight Grand Cross of the Royal Hanoverian Guelphic Order; he became in 1847 a Knight Grand Cross of the Civil Division of the Order of the Bath; and he was invested with the Order of the Garter in 1841.

LIEUT.-GENERAL SIR JAMES OUTRAM, BART., G.C.B., &c. &c. &c.

General Outram, the son of Mr. Benjamin Outram, of Butterley-hall, Derbyshire, a civil engineer, but belonging to a good family long settled in the county, by Margaret, daughter of Dr. Anderson, of Mounie, in Aberdeenshire, was born on the 29th of January, 1803. He was left an orphan at the age of two years, and was educated in Scotland under the care of his maternal relatives, first at Udney, and afterwards at the Marischal College, Aberdeen, where he greatly distinguished himself. He went out as a cadet to India in 1819, and was afterwards appointed adjutant to the 23rd Regiment of Bombay Native Infantry, having been for some time previously in command of a body of irregular troops. From 1828 to 1835 he served in Candeish, and in the latter year he was employed in organizing a regular force in Guzerat. In 1838 he was aide-de-camp to Lord Keane, and took an active part in the capture of Ghuznee. He subsequently discharged, in succession, the functions of political agent at Goojerat, and those of commissary in the Upper Scinde, besides undertaking the duties of British Resident at Hyderabad, at Sattara, and at Lucknow. In all these capacities he especially recommended himself to the esteem of his superior officers, as well by his military vigour as by his admirable administrative qualities. In 1842 he was appointed commissioner to negotiate with the Ameers of Scinde, in which position he adopted views at variance with those of General Sir Charles James Napier, a difference which, after he quitted Scinde, found very decided expression in the publication of a work, in which he severely criticized the conduct of Sir Charles relative to the conquest of that country. An angry correspondence was published at the time, but from first to last Sir James Outram played a most disinterested part, and Sir C. Napier himself styled him publicly the "Bayard of India, *sans peur et sans reproche*." Sir James had the satisfaction of knowing that in the end his views were confirmed by the Board of Directors; and as the best proof of the honesty of his opinion, that the Ameers had been hardly dealt with, he paid over his share of the Scinde prize-money to the public charities at Bombay.

He visited England on furlough in 1843, and in the following year he was appointed to a command in the Mahratta country. In 1847 he was appointed Resident at Baroda, and he was next employed in a high office at Bombay, where he unflinchingly exposed the official venality then prevalent, and which he was largely instrumental in suppressing. In 1856 he was nominated by Lord Dalhousie successor to Sir John Lawrence as Chief Commissioner of Oude. In the military operations in Persia, in 1857, he took the most active and prominent part. As Sir Henry Lawrence's successor at Lucknow, the part he sustained during the mutiny in India, and his generous conduct in connexion with the advance of Havelock's force, entitle him to be considered as one of the noblest characters of that memorable time. In 1856, while in the chief command of the Persian expedition, he was made C.B., and in 1858 he was rewarded with a baronetcy. He was afterwards made a G.C.B., and promoted to the rank of lieutenant-general. He returned to England in 1860, greatly shattered in health, but on several public occasions he was received with the honour justly due to his eminent public services and his high personal character.

On the creation of the Order of the Star of India Sir James Outram was enrolled as one of its members, and he was pressed to become one of the (Home) Indian Council, but his health was too far gone for any more work; and since that period he resided almost constantly in France. In July, 1862, he received the honorary degree of D.C.L. from the University of Oxford at the grand commemoration, in company with Lord Palmerston, Sir Roundell Palmer, Sir E. W. Head, and others.

The remains of Sir James Outram were interred in Westminster Abbey, March 25th, near the grave of Robert Stephenson. Many of the illustrious soldier's old friends and comrades, including Lord Clyde and Sir John Lawrence, attended the funeral. The chief mourner was his son, now Sir Francis Outram; and a body of the 78th Highlanders, whom he had led to victory, escorted the body to the grave.

FIELD-MARSHAL LORD SEATON, G.C.B., &c. &c. &c.

This distinguished officer, whose services both military and civil earned him a high reputation, and raised him to the peerage, was a son of Samuel Colborne, Esq., of Lyndhurst, by Cordelia Anne, daughter



of John Garstin, Esq., of Leragh Castle, and of Ballykerrin, co. Westmeath; he was also grandnephew of Charles Colborne, Esq., of the Knollmans, Lyndhurst, Hants, and of Barnes, in Surrey. He was born in the year 1779, and received some part of his education at Christ's Hospital, his father having, through some unsuccessful speculations, left his widow and two children in straitened circumstances. Mrs. Colborne, however, contracted another marriage, and in consequence her son obtained a place on the foundation of Winchester College. On the 10th of July, 1794, he obtained a commission as ensign in the 20th Foot, and the next year he became lieutenant, but he first saw active service in North Holland in the campaign of 1799. He was in Sir Ralph Abercromby's expedition to Egypt in 1801, and in 1805 he was employed on the Neapolitan frontier with a British, in concert with a Russian, force; he served in the campaign in Sicily and Calabria the following year, taking part in the battle of Maida. In 1806-7 he was military secretary, first to General Fox, commander of the forces in Sicily; secondly, to Sir John Moore, in Sicily, Sweden, Portugal, and Spain, 1808-9, and was with him at the battle of Corunna. In 1809 he joined Lord Wellington's army in Spain at Jaracejo, and was sent to La Mancha to report on the operations of the Spanish armies. After the battle of Ocaña, at which he was present, he commanded a brigade in Sir Rowland Hill's division (1810-11), and was detached in command of it to Castle Franco, for the purpose of observing the movements of General Regnier's *corps d'armée* on the frontier of Portugal. At the battle of Busaco, and on the retreat to the Lines of Torres Vedras, he commanded a brigade, with which he occupied, outside the lines, the town of Alhandra and the advanced posts near Villa Franca, when the army was in retreat, and until Massena had retired from the front of the lines. Up to the evacuation of Portugal by Massena, Colonel Colborne had charge of the posts on the Tagus, at the confluence of the Zezere. At Campo Mayor he led the advanced guard of infantry and cavalry, and then was in command of a brigade and a force of artillery and cavalry, with orders to drive back the French outposts during the siege of Badajos, 1811. He commanded a brigade at Albuera. In 1812, on the investment of Ciudad Rodrigo, he led a force of the Light Division, which stormed the redoubt of San Francisco, on the Greater Teson, and he headed the 52nd Light Infantry in the assault on the fortress and town. The

ascent was extremely steep and contracted, and when two-thirds of the lesser breach had been reached, the struggle became so violent in the narrowest part that the men paused; Colonel Colborne, however, pressed forward with his 52nd, though wounded in the shoulder. His Major (Napier), though struck down by grape-shot, called to the troops to trust to their bayonets, the officers sprang to the front, and the ascent was won. Colonel Colborne commanded the 2nd brigade of the Light Division at the battles of the Nivelle and the Nive, and during the campaign of the Basque Pyrenees. At Orthes and at Toulouse he led the 52nd, and at the peace he received the order of the Bath. His chief military feat, however, was performed at Waterloo, where he again commanded the 52nd, as part of Adams's Brigade. Of his own accord he led the forward movement which determined the fortunes of the day. When the column of the Imperial Guard was gaining the summit of the British position, and was forcing backward one of the companies of the 95th, Colonel Colborne, seeing his left endangered, started the 52nd on its advance. The Duke saw the movement, and instantly sent to desire him to continue it. This fact, which was long questioned, has been since abundantly confirmed.

After the close of the war he was for some time unemployed, but afterwards he obtained the post of Lieutenant-Governor of Guernsey, which he held for some years, and where he was greatly instrumental in reviving Elizabeth College, which had fallen into decay. In 1828 he was sent out to Canada, as Lieutenant-Governor and Commander of the Forces of Upper Canada; and he subsequently held, during the rebellion of 1837, the united civil and military power throughout the entire province, acting in the double capacity of Governor-General and Commander-in-Chief of the Forces both in Upper and Lower Canada. Having suppressed the rebellion he returned to England, and was raised to the peerage as Lord Seaton, with a pension of 2000*l.* per annum for himself and his two next successors; but he took no part in politics, save once, when he spoke in the debate on the union of the Canadas. He expressed his aversion to the union, on the ground that it would eventually hamper the development of Canada, and, furthermore, prove a hindrance to the junction of the North American Provinces as a Confederation. In 1843 he was appointed Lord High Commissioner of the Ionian Islands, a post which he held until 1849. There he had, during



the revolutionary mania of 1848, to deal with the demands of a people who avowedly felt the British protectorate as a burden; and though he yielded to them an ultra-Liberal constitution, he could not bring them to any better state of feeling, notwithstanding that he was personally popular among them, as he had been in all his other governorships. His last public employment was the command of the troops in Ireland, which he held from 1855 to 1860.

Besides his British honours of a G.C.B. and G.C.H., Lord Seaton was a Knight of the foreign Orders of the Tower and Sword of Portugal, of Maria Theresa of Austria, and of St. George of Russia. Having been for some years colonel of the 26th (Cameronian) Regiment of Foot, he was appointed colonel of the 2nd Life Guards, March 24th, 1854, and on April 1st, 1860, he received the high distinction of a field-marshal's baton.

The deceased married, June 21st, 1814, Elizabeth, daughter of the late Rev. James Yonge, of Puslinch, Lausend, and Coombe, Devon, Rector of Newton Ferrars, by whom he had a numerous family.

#### WILLIAM MAKEPEACE THACKERAY.

Mr. Thackeray, one of the most brilliant and popular writers of fiction that this generation has produced, descended from an old Yorkshire family, was born at Calcutta in 1811, his father being a member of the Bengal Civil Service, and his uncle a physician at Chester. His great-grandfather was Dr. Thackeray, of Harrow, who went to Cambridge in 1710, an excellent scholar and clever man, who introduced at Harrow the Eton system: he partly educated Sir William Jones, and his epitaph was written by his pupil Dr. Parr. The son of the Doctor married a Miss Webb, of the old English family to which the Brigadier Webb, of Marlborough's wars, belonged; he made a fortune in India, but eventually settled at Hadley, in Middlesex, where he died. There are numerous descendants of the Head Master of Harrow in the Church and in the Indian Service, and traces of the influence of family connexions are found in many of the writings of the deceased.

Like other English children born in India, young Thackeray was sent home for education (in 1817), and the voyage—during which he saw Napoleon in his island prison—was among his earliest recollections. He was placed at the Charterhouse, where, under the Rev. Dr. Russell, he made very satisfactory progress, and acquired an acquaintance with

the Latin language, and especially the Latin poets, which exercised a great influence over his genius and his diction.

From Charterhouse he went to Cambridge, which he left without taking a degree; and afterwards, having experienced some reverses of fortune (for he had inherited considerable property), he began a career as an artist, which he did not eventually pursue further than to illustrate his own writings. He next appeared as a newspaper writer, and was at one time the Paris correspondent of the "Morning Chronicle," as in after life he was connected with the "Times." The first contributions he made to literature under a distinctive name were the tales, criticisms, and descriptive sketches which appeared in "Frazer's Magazine" under the pseudonyms of Michael Angelo Titmarsh, and George Fitz-Boodle, Esq. The keen observation, delicate irony, and refined style of these magazine papers attracted the notice of readers like the late John Sterling, who predicted the author's future fame, but left the mass unconscious of any extraordinary merit. The earliest of his works which appeared in a separate form were "The Paris Sketch Book" (1840), and "The Second Funeral of a Drum," in metre, published together (1841). But neither these nor "The Irish Sketch Book" (1843) made a permanent impression on the public, which was in this case slow to discover unaided merit. He afterwards became a contributor to "Punch," and the earlier volumes of that periodical bear evidence of his faculty of satirizing society as it actually is, and of his peculiar faculty of writing verse in a style at once easy and original. His pseudonym of M. A. Titmarsh at length became famous, and a brilliant career was before him. In "Vanity Fair," which appeared in 1846 in monthly numbers after the Dickens fashion, he took a larger canvas and filled it with a group of portraits not excelled through all fiction in originality, variety, and force, though their truth was not so generally allowed. From this time it became the practice to speak of him as the modern Fielding. After some small occasional and Christmas books, "Notes of a Journey from Cornhill to Grand Cairo" (1846), "Mrs. Perkins's Ball" (1847), "Dr. Birch and his Young Friends" (1849), he published "Pendennis," in which he seemed to dwell by preference on the dark side of human character, and to hold up the petty and ignoble side of all things, while overlooking the goodness that exists in the world; and this unhappy tendency gave rise to a suspicion that he was in his own

character cynical and austere, whereas in fact he was quite the reverse, but his habitual manner was liable to be misunderstood by those who did not intimately know him.

In 1851 Mr. Thackeray delivered, at Willis's Rooms, a course of "Six Lectures on the English Humourists," which have since been numbered with his published works. In 1852 "The History of Henry Esmond, Esq.," was given to the world. The nobler tone of this work may be considered either as a refutation of the censures founded on the features of "Pendennis," or as an improvement suggested by the taste of the public, expressed through the medium of adverse criticism. "The Newcomes," published in 1855, revealed a deeper pathos than any of his previous novels, and showed that the author could, when he pleased, give pictures of moral beauty and loveliness. The success of the "Lectures on the English Humourists" led him to prepare another series on "The Four Georges," which he first delivered in the United States, and in which he was by some considered to have deferred too much to the prejudices of his Republican auditors.

In 1857 Mr. Thackeray solicited the suffrages of the constituency of the city of Oxford, in the Liberal interest, but was unsuccessful; and in the same year he was writing and publishing his "Virginians," the last of his principal novels. In 1860 he became the editor of the "Cornhill Magazine," which rapidly attained a high degree of success. "Love the Widower" and "The Adventures of Philip" appeared in its pages, but they are not to be compared with the series of fictions by which they were preceded.

Although called to the Bar in the Middle Temple in 1848, Mr. Thackeray never practised. Until of late years his career was up-hill, struggling, and painful. He had to endure a domestic bereavement of a peculiarly painful nature; and he suffered from a sickness which interrupted the publication of "Pendennis," in the middle of that work, and threatened to bring his life to a premature close. During the last seven or eight years Mr. Thackeray was in prosperous circumstances, and these were probably the happiest of his life. He was but a few days before his death congratulating himself on having entirely recovered from an illness that had harassed him for years, and was actively engaged on a new work, a portion of which he exhibited to a friend. On the evening of the 23rd of December he retired to rest in excellent health and spirits, and the next morning he was found dead in his bed. He leaves two daughters, one of whom

has already gained reputation as a writer of fiction.

Mr. Thackeray was interred in the Kensal-green cemetery, and the funeral was attended by many persons of eminence in the literary world. Many criticisms alike on his productions and his personal character appeared, of which the following, believed to be from the pen of Mr. Han- nay, is among the most judicious:—

"The position of Mr. Thackeray as a novelist is easily defined. He represented the English novel as the direct representative of Fielding. Other men wrote more popular stories. But he excelled all men in an intellectual representation of intellectual English life,—in reflecting the thought, sentiment, taste, of the classes whose character determines the opinion of posterity about each generation. He was even more a philosopher than a painter,—and more a thinker than a humourist,—although he was an admirable painter and an admirable humourist. His culture supplied an adequate basis to his observation. He probably knew no English writers better than he knew Horace and Montaigne, and he was always grateful to Charterhouse for the discipline which enabled him, though his life was not properly a studious one, to interpenetrate his thoroughly modern dissertation with the essential spirit of the purest classical subtlety.

"Those who were honoured with the friendship of this memorable man,—who saw him at home,—who knew the real truth about his disposition and private conduct,—are alone able to do him justice in these respects. He was one of the kindest men living of his time, hospitable, generous, charitable, tolerant, in a degree which would have been a distinction in itself to a man distinguished for nothing else. His principles, too, were conspicuously sound. He honoured above all men those writers who had devoted their lives to the service of virtue; and shrinking as he did from every thing like cant, he never lost an opportunity of paying his personal homage to the religious institutions and sentiments of the country."

#### FRANCES TROLLOPE.

This lady, well known in the literary world as the author of the amusing but somewhat caustic description of the manners and society of the United States, as well as of many popular works of fiction, was the daughter of an English clergyman, and was born in 1790. In 1809 she married Anthony Trollope, Esq., a barrister, whom she survived many years. She made her visit to America in

1829, and her work—which caused much criticism, and gave considerable offence in that country—was published in 1832. It was much read, and obtained great notoriety in this country. Having established her reputation as a clever and pungent satirist, Mrs. Trollope commenced her career as a novel-writer, and her style being much appreciated by the public, she continued for upwards of twenty years to send forth from the press a succession of works characterized for the most part by a close and keen observation of human nature, and by a wit which, if not always of the most refined quality, was well adapted to set in a strong light the follies and extravagances of modern life. Among the most popular of her novels may be mentioned the “Vicar of Wrexhill,” “Life and Adventures of Michael Armstrong, a Factory Boy,” “The Widow Barnaby,” “The Widow Married,” and “The Barnabys in America.” Nor was her prolific pen solely confined to works of fiction. Mrs. Trollope published several other volumes during the same period descriptive of the countries which she visited—much of her life, especially the latter years, having been spent abroad and in foreign travel—and of this class of works were her “Paris and the Parisians,” published in 1835; and “Vienna and the Austrians,” in 1838; also a “Visit to Italy,” “Travels and Travellers,” &c. Mrs. Trollope belonged to a family well known for literary talents. Mr. Adolphus Trollope, the author of several deservedly popular Italian tales and works of travel, is her son; and Mr. Anthony Trollope, one of the first writers of fiction in this country, is her near relative.

#### REAR-ADMIRAL WASHINGTON.

Rear-Admiral John Washington, formerly Hydrographer to the Admiralty, entered the Navy May 15, 1812, as a first-class volunteer on board the “Junon,” of forty-six guns, Captain James Sanders, fitting for the North American station, in which vessel he saw much active service, particularly in operations in the river Chesapeake. The “Junon” made prizes of several of the enemy’s vessels, and completely discomfited fifteen gunboats that had been despatched for the express purpose of capturing her, after an action of three hours, fought on June 20, 1813. Removing as midshipman, in the following October, to the “Sybille,” he sailed in that ship in 1814, under Captain Forrest, with the “Princess Caroline,” Captain Downman, for the latitude of Greenland, in fruitless pursuit of the American Commodore Rogers. In November of the

same year, having returned to England, he entered the Royal Naval College at Portsmouth. On leaving that institution he was received, in May, 1816, on board the “Forth,” Captain Sir Thomas Louis, under whom he was again employed for upwards of three years on the coast of North America. He then, in succession, joined the “Vengeur” and the “Superb,” both on the South American station, where he remained until after his promotion to the rank of lieutenant, which took place on the 1st of January, 1821. He was subsequently employed on “particular service;” and in August, 1830, was appointed to the “Royal George,” 120, as flag-lieutenant to Sir J. Poer Beresford, Commander-in-Chief at the Nore, continuing to serve under that officer in the “Queen,” until advanced to the rank of Commander in 1838. To the active service consequent upon his various appointments, Lieutenant Washington had united the practice of maritime surveying and the pursuits of a scientific hydrographer and geographer; he was a member of various learned Societies, and was the author of many scientific works connected with his profession. In 1835 he succeeded Captain Maconochie as Secretary of the Royal Geographical Society of London, but resigned that office in 1841, on being appointed to continue the survey of the North Sea, which had for some time been in progress. During this undertaking, in which he was continually engaged until the close of 1844, he was occasionally occupied in correcting the existing charts, as the position of the shoals and the directions of the navigable channels had in many cases become changed. In 1842 he had been appointed to the rank of post-captain in compliment to the King of Prussia. The survey was Captain Washington’s last service afloat. In 1845 he was appointed a commissioner for inquiring into the state of the rivers, shores, and harbours of the United Kingdom. On the retirement of Rear-Admiral Sir Francis Beaufort, in 1855, he was appointed to the office of Hydrographer to the Admiralty, and he subsequently attained the rank of Rear-Admiral.

In 1833 Admiral Washington married Eleonora, youngest daughter of the Rev. H. Askew, Rector of Graystock, in Cumberland, by whom he left a large family, more than one of his sons being in the Royal Navy.

Admiral Washington was not more remarkable for his high scientific attainments than for his kindness of heart and his earnest desire to promote the welfare of the seafaring population.



## THE ARCHBISHOP OF DUBLIN.

The Right Hon. and Most Rev. Richard Whately, D.D., Lord Archbishop of Dublin, Bishop of Glendalough, and Bishop of Kildare, Prebendary of Cullen in St. Patrick's Cathedral, Visitor of Trinity College, Dublin, Vice-President of the Royal Irish Academy, Chancellor of the Order of St. Patrick, and a Privy Councillor, was the fourth son of the Rev. Joseph Whately, D.D., of Nonsuch Park, Surrey, Prebendary of Bristol, by his wife, the daughter of William Plumer, Esq., of Ware Park, Herts, and sister of William Plumer, Esq., many years M.P. for Hertfordshire. He was nephew of Thomas Whately, secretary to the Earl of Suffolk and Berkshire, and author of some valuable "Remarks on the Characters of Shakspeare." He was born in Cavendish-square, on Feb. 1, 1787, and was educated at Oriel College, Oxford, where his career was brilliant. He graduated B.A., taking a second class in classics and mathematics in Michaelmas Term, 1808. He, in 1810, obtained a prize for his English essay, "What are the arts in the cultivation of which the ancients were less successful than the moderns?" He was, in 1811, elected Fellow of Oriel, and proceeded M.A. in 1812. In 1822 he was appointed Bampton Lecturer at Oxford, and was nominated to the living of Halesworth with Chediston, in Suffolk. He about this time first became known as a religious and logical writer. His three "Sermons on the Christian's Duty to Established Governments and Laws" met with much favour, and he had great success in the publication of his curious tract called "Historic Doubts respecting Napoleon Bonaparte." This was intended to confute the argument adopted by Hume in his essay against the credibility of miracles; Whately's work showing that it was as easy to construct a similar fabric of argument to disprove the existence of Napoleon Bonaparte. After publishing the Bampton Lectures, and graduating B.D. and D.D., Dr. Whately was chosen Principal of St. Alban's Hall. He produced his celebrated books, "The Elements of Logic" in 1826, and "The Elements of Rhetoric" in 1828. He was for one year (from 1830 to 1831) Professor of Political Economy at Oxford, when the new Whig Government fixed upon him to fill the Primacy of Ireland. He was consecrated Archbishop of Dublin and Bishop of Glendalough in St. Patrick's Cathedral, on Sunday, Oct. 23, 1831. As Primate, Dr. Whately led a most active and influential life, taking interest as a liberal Church-

man in all questions of social and ecclesiastical importance, and more especially in the question of Irish education. He also aided the endeavours to procure a repeal of the law which prohibits marriage with a sister-in-law. Dr. Whately, by the conciliatory course which he adopted, may be said to have stemmed the formidable attack made by O'Connell and the Catholic party against the Established Church in Ireland, the political supremacy of which would have been probably annulled, but for the compromise relative to the tithes and the decrease (by amalgamation of Sees) of the Irish bishoprics. Pursuant to the latter statutory arrangement, Dr. Whately became also Bishop of Kildare in 1846. He was a Commissioner of National Education in Ireland from the institution of the system until 1853, when he resigned from his feeling that the religious question had not been fairly treated, especially with reference to the scriptural books which were on the Education Board's list. Of Dr. Whately's numerous publications while Archbishop, the titles may be given here of "Thoughts on Secondary Punishments," "Lectures on Political Economy," "Transportation," "The Kingdom of Christ," "Introductory Lectures on St. Paul's Epistles," "Cautions for the Times" (edited and in the main inspired by him), &c. He was a contributor to the "Edinburgh" and "Quarterly" Reviews, and to many other periodicals of a learned or instructive nature. His latest contributions are to be found in a popular magazine, printed by women, entitled "The Rose, Shamrock, and Thistle." He also brought out an amended and improved edition of the "Tales of the Genii," and he edited "Scripture Lessons," and a "Book of Sacred Poetry," for schools. Dr. Whately married, in 1821, Miss E. Pope, daughter of W. Pope, Esq., by whom he left issue.

## MR. JUSTICE WIGHTMAN.

This highly-respected lawyer, who was born in 1784, was of Scottish origin, being descended from a family of the name long settled in Dumfriesshire. He was educated at University College, Oxford, where he graduated in 1805, and was afterwards elected to a Michel Fellowship at Queen's, where he took the degree of M.A. Having practised for some years as a special pleader, he was in 1821 called to the Bar by the Hon. Society of Lincoln's Inn. He attached himself to the Northern Circuit, and his reputation as a sound lawyer soon brought him a large and lucrative



practice. In every case of importance tried in Yorkshire at Nisi Prius Mr. Wightman was certain to be retained. This was a time when the Northern Bar was in the zenith of its fame; Scarlett, Brougham, Pollock, Cresswell, Parke, Alderson, Williams, and Coltman were competitors with Mr. Wightman, and, like him, were all raised to the Bench.

For some years Mr. Wightman was associated with the Attorney-General (Sir John Campbell), and rendered that official very important legal assistance. In 1830 he was appointed a Commissioner to inquire into the practice and proceedings in the Superior Courts of Common Law, and in 1833 he was also appointed one of the Commissioners for digesting the Criminal Law. Mr. Wightman never aspired to a silk gown, and he was one of the few members of the Bar promoted from a stuff gown to the ermine. In February, 1841, he was appointed a Judge of the Court of Queen's Bench, when he had conferred upon him the honour of knighthood.

For upwards of twenty-two years he sat on the Bench, and a more upright, independent, and industrious man never presided in our courts of law; he was also much esteemed by the members of the profession for his amiability of disposition. He had attained an advanced age, and was entitled to have retired on full pension; but the love inherent in him for the profession of the law was such that he preferred to hold his high office, the duties of which he discharged with untiring zeal and ability to the day of his death. He arrived at York on December 5th, and opened the Commission for the General Gaol Delivery. He was in his usual health, remarkably active for his age, and his intellectual powers were keen and acute. After discharging the duties of Judge of Assize with unimpaired vigour for several days, he was suddenly stricken with apoplexy, and died at the judge's lodgings at York on the 10th of December.

# REMARKABLE TRIALS.

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## I.

### THE EGMONT ESTATE CASE.

THIS action, involving the title to a considerable landed estate in the county of Cork, in Ireland, and affecting deeply the character and reputation of the parties whose transactions were the subject of inquiry, was tried at Dublin before Mr. Justice Keogh and a Special Jury in the month of July in this year. There had been a preliminary hearing in the suit in the Court of Chancery upon the question whether the matters involved were proper to be submitted to the decision of a jury. After full argument the Court directed that an issue should be tried, for the purpose of ascertaining whether a certain instrument was the last will of Henry, Earl of Egmont. In this proceeding Sir W. L. Darell was the plaintiff, and the Earl of Egmont the defendant. There was a long array of counsel on either side. Dr. Ball, Q.C., opened the case for the plaintiff. From his statement it appeared that the alleged will purported to devise all the freehold and personal estates, including the rights of presentation to two livings in England, to Edward Tierney, of Fitzwilliam-street, Dublin, and to his heirs and assigns for ever, constituting him the sole residuary legatee, after the payment of some small charges. Three elements are required for the validity of every testamentary instrument—due execution, testamentary capacity, and testamentary intelligence. Counsel mentioned a number of facts to prove that none of these was wanting in the present case. The testator was born in 1796; he came of age in 1817, and died, at the age of forty-five, in 1841. The title of Egmont had originally attached to it very large estates in Ireland and England, but in 1770 the title of Arden was introduced into the family, and to this title a large portion of the Egmont estates was annexed. Sir Edward Tierney, and his brother, Dr. Tierney, afterwards Sir Matthew, were the sons of a gentleman who lived in the city of Lincoln, and rose to great affluence and a high station. Edward, the solicitor, was at one time agent to the Duke of Devonshire, and he subsequently obtained the important office of solicitor and clerk in the Court of Error. His annual income might be reckoned by thousands. The two brothers married two sisters named Jones, who each possessed a fortune of 20,000*l*. Sir Matthew had no child; Edward had two sons and a daughter; and the first trace we find of the origin of the relation of the Tierneys with the Egmont family is in connexion with the will of the first son of Edward Tierney. Matthew was a physician residing at Brighton, where he enjoyed the personal

favour of George IV. He there became acquainted with the mother of Henry, Lord Egmont, then one of the ornaments of the Court. The acquaintance of the Tierneys with this lady ripened into friendship. The first child of Edward Tierney was christened Percival, that being the title of Lord Egmont's heir, and the child's god-parents were the Countess and her son. The Earl was from his early days taught to reverence and respect Edward Tierney, who thus became the friend and counsellor of the family, and when the father of Henry succeeded to the title he appointed him agent to his Irish estates. When the testator became possessed of those estates they were heavily encumbered. In 1823, as appeared by a letter from Mr. Tidd, Q.C., the claims upon them amounted to 300,000*l.*, the valuation of them being about 15,000*l.* a year. Immediately after the accession of Henry, Lord Percival (the testator) to the title, it became necessary, in order to meet the embarrassments in which the family were plunged, to borrow money. Two trust deeds were accordingly executed, whereby the whole estates were conveyed to Henry, Lord Percival, Mr. Teed, and Mr. Edward Tierney. These trustees were to pay out of the rents an annuity of 2000*l.* a year to Lord Egmont, and 1000*l.* a year to his son. They were also to bar all entail, and to invest the property in the right of the Earl of Egmont, so as to give him power to dispose of it ultimately to the testator, Lord Percival. In addition to being trustee, Mr. Tierney was appointed agent, invested with the power of dealing with the tenants, paying out sums of money for fencing, draining, planting, building, and otherwise increasing the value of the land,—a much-needed provision, for the Egmont estates were then the most neglected and unimproved in Ireland. Lord Percival appears, by his letters written to his agent at that time, to have been a man of education and refinement. His feeling of disappointment, however, on account of the enormous embarrassments on his property, led him to drink, and at an early period of his life he acquired habits of dissipation. "But it should be remembered," observed the counsel, "that this was at a time when dissipation was the rule of English society." His agent, however, endeavoured to cure his bad habits, and on the 28th of April, 1826, he addressed a letter to him earnestly entreating him to abandon his evil courses and his associates. The father, in the enjoyment of 2000*l.* a year, and protected by his privileges as a peer, took a house at Epsom, and went to reside there. The son, not being in the House of Commons, and therefore unprotected, was exposed to actions and judgments and arrests, by a crowd of encumbrancers and money-lenders, who had now additional claims upon him, in consequence of his having joined in the responsibility for his father's liabilities. It was impossible, therefore, for him to reside with his father at Epsom, for he would have been subject to arrest there. He was consequently obliged to roam abroad, and to have no certain home. In order to be relieved from this vagabond kind of life, and to be able to defy the bailiffs, he was anxious to get into Parliament, and he contested a borough. This turned out to be a most unfortunate affair, for, while he failed to get a seat in Parliament, he plunged himself still deeper in debt. Counsel read correspondence in support of these statements. The condition of matters, therefore, when Henry succeeded to the title was, that he had property which he valued at 200,000*l.*, on which there was a debt of 101,000*l.*, without counting 23,000*l.* which he owed to Mr. Tierney. He then removed to a place in Wiltshire called Burderop Park, which he had purchased in the name of Mrs. Clesse, with whom he lived as if they were members of one family, being visited by persons of distinction and respectability in the neighbourhood. About the same time he became possessed

by the death of Mr. Bellasis of an estate in Wales worth 600*l.* or 700*l.* a year. He dropped his title, and passed as Mr. Lovell, but there was something in his manners and conversation which led his visitors to believe that he had occupied a much higher rank than the one he then filled. Baffled in his aspirations, and almost overwhelmed with a load of embarrassments, he had unhappily sought solace in an indulgence to which many noble natures had yielded, and contracted the worst and most degrading of vices; "but still," said Dr. Ball, "at all times he preserved an elevation of mind and dignity of manner which suggested to those around him what his real position was. Up to the last his conduct was that of a nobleman and a gentleman." Similar inconsistencies had been observed in many eminent men. It should not then be alleged that the habit of drinking deprived Lord Egmont of capacity to make a will. His letters proved that he had acuteness in business matters. He went to Lisbon in 1840, and remained there till October, 1841, and he wrote a letter from that place about two months before his death, which showed that he was in the full possession of his faculties. On the 3rd of December, the son of Mrs. Clesse (who had died on the Continent), wrote from London to Mr. Tierney in Dublin, that he had found out where the Earl was staying—that he was in a bad way, the doctor being afraid that his lungs and his liver were affected, and requesting Mr. Tierney's advice as to what should be done if any thing should happen to the Earl. A letter written by Mr. Tierney was read, dated 5th December, stating his intention of leaving Dublin the succeeding day for London; he could not have reached London before the night of the 7th. With the events that transpired on the 7th, 8th, 9th, 10th, and 11th—the last being the day on which the will was executed—three persons only were acquainted. The Earl of Egmont was one—he was dead; Edward Tierney was one—he was dead; Parkinson was the other—he was alive. Counsel then adverted to the fact that the testimony of Parkinson had, for reasons he would subsequently make clear, been prevented from being given for the plaintiff by the defendant; but produced a document which they had obtained, and which had been taken down by Parkinson at the dictation of the Earl a few days before his death. These were instructions for his will, and the effect of them was to make Edward Tierney his heir and residuary legatee. The Earl died on the morning of the 23rd, in lodgings in London, having a few days before left Webb's Hotel, where the will had been executed on the 14th. Counsel then described the means by which Lord Arden, the present defendant, came into possession of the estates and titles of the Earl of Egmont, being through the branch of the family adverted to in the early portion of his address, and he also commented on the length of time subsequent to the execution of the will at which the attempt to overthrow it was made. He then referred to the manner in which it was sought to overthrow the will to Sir Edward Tierney. The defendant did not allege incapacity or insanity, but that the Earl, a man who was in the habit of inquiring most strictly into the state of his affairs, at the time of his death had no idea whatsoever of the value of the property he was devising. The defendant alleged that there was fraud in the obtaining of the will, but it would lie on the defendant to prove that allegation—not on his client to disprove it. There was scarcely any intimacy between Earl Henry and Lord Arden and the heiresses-at-law, and there was no reason why he should leave his estates to those persons who were already amply provided for in preference to Tierney, his tried and trusted friend. There could be no doubt, also, that the property had increased vastly since Earl Henry's death, partly owing to the fact that all Irish property had greatly increased in value,



and partly that Tierney had judiciously expended a sum of 70,000*l.* on its improvement. He asked why this case had not been brought on in the lifetime of Sir Edward Tierney. Every witness of importance was dead, except Woodfall and Tidd, the latter of whom had been spirited away, and the former had been made the solicitor of the Earl of Egmont.

The first witness called for the plaintiff was Mr. Thomas Stevens, a solicitor, practising in London, who deposed that he engrossed the will of Lord Egmont in December, 1841, and saw him sign it, in the presence of John Parkinson. The paper of instructions for the will is also in the witness's handwriting. After the will was engrossed Mr. Tierney came to the office of Messrs. Lucas and Parkinson, in which witness was then clerk, and after the arrival of that gentleman was reported Mr. Parkinson came to witness, bringing with him the engrossment and the draught. There was an addition put to them, which was the interlineation, written in pencil. This interlineation he introduced into the engrossment. When he saw the gentleman who was called Lovell execute the papers he appeared in a very bad state of health. Before this no business was ever transacted in the office either for Mr. Lovell or Lord Egmont. He had not the slightest knowledge of the property conveyed in the will. It was not his business to engross documents, and this was an exceptional case. He got a sovereign for doing it. He had said that Mr. Lovell was a competent testator. Witness made a memorandum of the transaction at the time, and preserved it for many years.

Several documents having been handed in, the Rev. Mr. Buckley, for forty years parish priest of Buttevant, was examined. He deposed that he had been personally acquainted with the late Sir Edward Tierney for at least thirty years. Part of the Egmont property is in his parish, and when he went there a great part of it was sublet in small farms and holdings. The houses were in a wretched state; the land was in a very bad condition. There were very few dairies and very little planting. Sir E. Tierney made improvements. When lands fell out of lease he converted them into large farms, erected good buildings, and encouraged the tenantry to do the same; drainage works were carried out, suitable offices built, with good fences, which witness considered judicious and necessary improvements. Kanturk, when he knew it first, was a miserable place, but under Sir E. Tierney's management it was much improved. On being cross-examined, the witness stated that he got a farm from Sir E. Tierney for his brother, and that the rents were generally raised by him as the leases fell in.

The next witness was Mr. J. M'Carthy, J.P. and D.L. He had known Kanturk and the property about it for thirty years. He farms about 2000 acres himself, and is a judge of the improvement of land. Sir Edward Tierney had improved the property very much. There was a house built and very fine offices, something too good if built out of the rents of the estate. Simon Simcox gave similar testimony. Improvements upon a large scale were always going on.

Mrs. Laver, widow of Surgeon Laver, had been residing at Hythe from 1830 to 1843 next door but one to Mr. Lovell and Mrs. Clesse, who occupied a very fine residence, with a farm and coachhouse and stables. Mr. Lovell kept a yacht and a small phaeton. She knew Mrs. Clesse very intimately, visited often in the forenoon, and waited for lunch, at which Mr. Lovell was present, and she dined there at least ten times during the three years they were her neighbours. Mr. Lovell was a perfect gentleman—educated, with most pleasing conversation. She never observed him intoxicated.

Miss Sarah Jones deposed that she lived at Hythe in 1833, and lives there now. She had lived in the house with Mrs. Clesse for about three weeks at a time, and at intervals for other periods. Mr. Lovell used to come into the room at tea-time, but did not take tea. He addressed Mrs. Clesse as his sister. Witness never saw Mr. Lovell intoxicated. Sir E. Tierney used to come there on a visit, but never remained more than twenty-four hours. Mr. Lovell and Mrs. Clesse always seemed much gratified when he came, and spoke of him in the highest terms. Witness was also with them at Southampton and Burderop Park, and attended Mrs. Clesse when she was ill. Never saw Mr. Lovell intoxicated. He occasionally took wine freely, but not to excess. He was as regular a man as ever she saw. He was very domestic, and very fond of Mrs. Clesse.

Dr. Francis Samuels gave evidence with regard to several persons in England who were summoned as witnesses in the case, but who were unable to attend, and whose affidavits to that effect were read.

The Rev. Giles Daubeney, a rector and a magistrate of Wilts, deposed that Mr. Lovell and Mrs. Clesse, supposed to be his sister, came to his parish to reside. They brought no letters of introduction, and, therefore, were not visited, except by some clergymen and their families, but they gave some morning parties. Witness had dined at Burderop Park. He considered Mr. Lovell a thorough gentleman; his conversation above par, and intelligent.

The Rev. Mr. Holme, and several other witnesses, gave testimony to the same effect.

The widow of the Rev. Mr. Bullock, who had been incumbent of the parish in which the so-called Mr. Lovell resided, made an affidavit to the effect that her husband had been on the most intimate terms with him. He heard Mrs. Clesse complain that he was fond of drink, which caused her great anxiety; but when deponent was at the park, and when the Earl was at the vicarage, he always conducted himself as a gentleman.

John Rogers, a gamekeeper, stated that the Earl was fond of shooting, that he accompanied him in that sport, that he drank some port wine while out, and that one morning he was with his lordship in his parlour for three and a half hours, looking over three couple of dogs and talking about them.

Dr. Cartwright and Dr. Marks, the latter of whom attended Mrs. Clesse at Lisbon, bore testimony to the gentlemanly manners and sober habits of the Earl. Colonel John Harper deposed that he met Lord Egmont at Lisbon, often conversed with him in the coffee-room of the hotel and rode with him. He found him intelligent, able to talk like a gentleman on any subject that turned up; but admitted that he had seen his lordship intoxicated more than once in the evening, adding that he certainly appeared to be a person capable of transacting business, with very good abilities. He dined in his private room, and afterwards he would come down to the coffee-room and converse with the people when he was drunk.

Thomas Ryan deposed that he often met Lord Egmont at the office of Messrs. Woodgate, and was the attesting witness to all the deeds. Mr. Wynne, their managing clerk, was the other witness. In 1841 he met Lord Egmont in the street by accident, and congratulated him on his healthy appearance. He was dressed like a gentleman. He looked in the witness's face with an expression he could not forget, and said, "The governor is a very good fellow." By "the governor" he meant Sir Edward Tierney. When he signed the deeds he was perfectly capable of knowing what he did. Sir Edward Tierney was over seventy

years of age. On cross-examination witness stated that he had met Lord Egmont about twenty times. The deeds were executed at different times.

A number of accounts and vouchers signed by Lord Egmont were then given in. The letters of Bridget, Countess of Egmont to her son were also received. This closed the case for the plaintiff.

Mr. Brewster, Q.C., then proceeded to address the jury on the part of the defendant. After some preliminary remarks he described the life and character of Lord Egmont, whom he represented as a person having great disadvantages in his youth, bred up in a manner unsuited to his rank, leading him into irregular associations and habits calculated to weaken even the strongest intellect; without the advantages that ought to have surrounded a man of his condition; going from bad to worse from day to day during the twenty-five or twenty-six years of his unhappy life; never having elevated ideas, mixing in the lowest society, indulging in the most dreadful intemperance, till at last he became so weakened in body and mind as to be an easy prey to any clever, designing person who, from any concurrence of circumstances, had acquired an influence over him. Such a person was dealt with by a man of surpassing ability, going on day by day acquiring dominion over him, and at last effecting the purpose he originally designed. A man who displayed dexterity and talent that deserve the highest possible praise, whatever might be their moral standard, was Sir Edward Tierney. Henry, Earl of Egmont, was the fifth earl of his family. His grandfather's name was John, and the present Lord Egmont and the late Lord Egmont were both the lineal descendants of that John. John married into a family great enough to have two titles conferred upon it. These two branches went on aiding each other—acquiring rank and playing into the hands of each other—and both endeavouring to extend, increase, and magnify the family power and influence; and a Howard or a Hamilton might be proud to belong to a family which had produced men such as Spencer Perceval, Prime Minister of England, and included in its members the descendants of Walpole. Bridget, the mother of Lord Egmont, was said to have been a beauty and the ornament of the Court of George IV. In fact, she was one of the great allies of Queen Caroline. She was a politician, and had great mental power. As soon as her son came of age she induced him to enter into securities to a great extent to provide for the extravagance of those who had gone before him. He never had the advantage of a public school. While his mother was indulging in dissipation, and occupied with political intrigues, her unhappy boy was left to the care of domestics. He was never a member of the University. When he was “on the run” he was in the habit of having letters addressed to him at the University Club. It was no part of his case, said the learned gentleman, to prove that the late Lord Egmont was born an idiot, or naturally incapable of making a will; or that he was, in the early part of his life, constantly in a state of inebriety. He belonged to that class of men who had recourse to strong drink to drown care, and then lay by for a time, until the insatiable desire for stimulants obtained the mastery, and indulgence became an absolute necessity. His was the most hopeless case of intemperance—that of the solitary drinker. His was not the indulgence of the table, in which there was the accompaniment of wit, of fun, of pleasure, of information,—of every thing that makes society charming,—and, no doubt, the greatest, the wisest, and the best have at times been betrayed into an occasional excess under the delirium—not the *delirium tremens*, but that delicious delirium which comes from the society of those we love; respect, and esteem. This poor fellow's

habits were not those. It was in the pot-house, in the stable, with the game-keepers, the clowns, and the servants that he indulged in his intemperance. That it rendered him incapable of transacting business was proved from one of Tierney's letters, in which he said, "I have been here four weeks waiting to do what might have been easily done in four days."

Being defeated in his contest for the borough of Penrhyn, he was so plunged into embarrassments that he was in constant fear of arrest. Counsel referred to letters written by Lord Percival, and observed that none of them contained any evidence whatever of his being a man of business, or even possessed of common sense. They were all either written in acknowledgment of having received money, or pressing for fresh loans to supply his necessities. In some of these letters, when naming a time and place to meet Tierney, he appointed Saturday, because he would then have the Sunday to return home without fear of arrest. It was plain from the conduct of Tierney that for years previous to the Earl's death it had been the settled purpose of his mind to get possession of the estates. In one of his letters to Mr. Teed, he concluded by saying, he often asked himself for whose benefit he was making all those improvements which he was carrying out on Lord Egmont's property. It was plain that Tierney had determined in his own mind that it should be for his own. In fact he was, even during the lifetime of Lord Egmont, the actual owner of the estate, for he had to deal with a weak-minded man,—a man who thought that he could not obtain bread for his breakfast if it were not for the exertions of Mr. Tierney. The plan Tierney adopted to get ultimate possession of the estates was this:—An arrangement was going on for a great settlement of this property, and on the 4th of November, 1836, he obtained an assignment to his brother, Sir Matthew Tierney, for the sum of 4000*l*. This was the first charge upon the estate, and he made it over to his brother in order that he might have the power of carrying out more effectually other transactions which he then meditated. It was clear that at the time he contemplated the appropriation of the property to himself; for, on the 7th of the same month of November, a mortgage was effected of a portion of the Irish estate with certain parties, under the name of Hobarts and Company, in trust for the sum of 14,000*l*. On the day after, the 8th of November, a second mortgage was effected with the same persons for the sum of 30,000*l*., making in all 44,000*l*. On the 9th of November, which was the day following, the sum of 20,442*l*. was lodged in court by Mr. Tierney, to be disposed of in paying off the English creditors, and on the same day he received a mortgage of the estate for the sum of 46,000*l*., making in all a debt of 101,000*l*., or an annual charge of 5852*l*. to be provided for before the owner of the estate could touch a halfpenny of the income. Then came the deed of the 10th of November, 1836, a deed which he could not for a moment imagine would be signed by any man with a grain of common sense. It provided that Edward Tierney was not to be removed from the agency of the estate while one sixpence of the debt remained due to him. The learned counsel read the deed, which stipulated that Mr. Edward Tierney was not to be removed from the management of the estate while the sums already mentioned of 4000*l*., 30,000*l*., and 46,000*l*., for which he had the property mortgaged, remained unpaid. At the time this deed was signed, Edward Tierney himself was the actual owner of 17,000*l*. of that money, and then he began to consider what he should do, and took counsel with himself and others to know whether he should act under that deed or under the will. He was receiver to the property



under the Court of Chancery, and, having full power to do whatever he thought fit, he asked himself the question, "For whom am I improving this estate?" and the answer at once suggested itself, "I am not improving it for Lord Egmont, but for Edward Tierney." The Earl was so drunk sometimes at Burderop that Mrs. Clesse was obliged to lock him up lest visitors should see him in that state. He occasionally took runs to London, where he could seldom be traced. He there visited a place called Smith's Hotel, at which he always arrived late, and spent his time at the bar drinking with ostlers and cab-drivers, treating them, while himself in a state of wild intoxication. No one knew who he was, whence he came, or whither he went. On his return from London he frequently brought back his portmanteau full of brandy bottles. He drank to excess in the morning, and had acquired such a detestation of business that he signed papers without troubling himself with their contents.

Having proceeded thus far in his speech, Mr. Brewster stated that he should divide his further observations into three or four different heads, and he applied to the Court for an adjournment, which was accordingly granted. On the meeting of the Court the next morning an unexpected difficulty occurred. The Judge stated that one of the jurors was ill, and could not possibly attend that day. Mr. Jones, a medical gentleman, had examined him, and found him very ill. Mr. Serjeant Sullivan said that was a serious matter, as there were minors concerned, whose consent could not be had to go on with eleven jurors. Dr. Ball said if they were acting merely for Sir Lionel and Lady Darell their anxiety would be to proceed with the trial, but they had no power to make any consent on behalf of the minors, and, knowing that the question was one of great difficulty in point of law, they could not take it on themselves to go on with the trial in the absence of one of the jurors. The Judge said he did not mean to make the slightest comment on the course they had thought it right to adopt. It would be quite beyond his province to do so. Under the circumstances, he would adjourn the trial till the morning, and the case would then either proceed or be disposed of one way or the other. The Court accordingly adjourned.

The next day the case was terminated by a compromise, the terms of which were that the estates should be surrendered to the Earl of Egmont, who engaged to pay to Sir W. L. Darell the sum of 125,000*l.*, and to defray all the costs of the legal proceedings.

## II.

### THE CAMPDEN HOUSE FIRE INSURANCE CASE.

#### WOLLEY *v.* POLE.

This case, which came on for trial before Mr. Baron Bramwell at the Croydon Assizes, excited extraordinary interest. Campden House, in the parish of Kensington, the destruction of which by fire in March, 1862, formed the subject of the inquiry, was a mansion of considerable antiquity and historical interest. At the time of the fire taking place it was in the occupation of the plaintiff, Mr. Wolley, who had effected insurances on the house, and on the fittings and effects which it contained, in the Sun, the Atlas, and the Hand-in-Hand, to the amount of nearly 30,000*l.* After a long time spent in investigating the

claim and the circumstances of the fire, the offices determined to dispute the policies on the ground of fraud and arson, and this was the issue which was now submitted to the jury, the first action, in which the Secretary of the Sun Fire Office was the defendant, being taken as decisive of the rest.

Mr. Bovill, Q.C., and Mr. Serjeant Ballantine, with Mr. Henry James and Mr. Merewether (both specially retained), and Mr. Rosher were for the plaintiff; Mr. Lush, Q.C., Mr. Denman, Q.C., and Mr. Garth were for the company.

Mr. Bovill stated the case for the plaintiff. He began by observing that the charges made against the plaintiff were of a very serious nature, and such as induced him to desire it to be tried at the earliest possible moment, with a view to vindicate his character from these serious imputations. Mr. Wolley had resided for some years at Campden House, and early on the morning of Sunday, the 23rd of March, 1862, it was totally destroyed by fire. The claim itself was not of so much importance as the grounds on which it was resisted by the Fire Insurance Companies. The amount insured in all the policies was undoubtedly very large—as much as 29,000*l.*,—but not larger than the real value of the house and fixtures and the furniture and pictures contained in it; and the amount insured upon the house was not so large as would be required to rebuild and reinstate this magnificent mansion. To understand the case it was necessary, the learned counsel said, to be acquainted with all the insurances, and he proceeded to state them. The amount insured upon the house (with stables and theatre) was 12,000*l.*; and as to the fixtures and fittings, there were 4000*l.* insured in the Sun and 3000*l.* in the Hand-in-Hand, making 7000*l.* altogether on the fixtures and fittings. Then there were the furniture policy and the picture policy, which made up the amount of 29,000*l.* The action was on the Sun policy for 4500*l.*, and no doubt all the other actions would abide the result of this. There were various pleas, but the real question would be on the pleas of fraud and of arson. Now, no one who looked at the model before them, and considered the size and character of the mansion, would consider that it could be reinstated for any such sum as 12,000*l.*; and as early as July last year communications had taken place between the surveyor as to plans for rebuilding. After some time, there began to be raised some question as to the details of the contents of the house. The claim was necessarily most voluminous, and it took months before it could be prepared. For some time Mr. Wolley was ill (having narrowly escaped with his life at the fire), and it was necessary of course to refer to servants and relatives, and, in the result, the list made a volume. There were upwards of 700 items; indeed, altogether nearly 1000. By degrees, Mr. Wolley having given offence to the Temples and the police by the account he was supposed to have published, or caused to be published, of the fire, there began to arise rumours that the claim was not honest. There were some persons concerned for insurance companies who always fancied a claim fraudulent, and imagined every fire to be wilful. In the result, after the lapse of all but a year, the offices intimated that they resisted the claim on the grounds of fraud and arson. There had been no prosecution, no inquiry before a magistrate, no attempt to press home the charge; but Mr. Wolley had resolved to enforce his claim, and defy any inquiry into its honesty. No doubt the offices had made the most minute investigations, and had mastered the whole history of his life; indeed, it had been found that inquiries most minute had been made of all his tradesmen, and even down to his washerwoman. It had been inquired, for instance, whether he usually slept in a night shirt (laughter), because it happened that he had escaped in a day shirt. All the parties who had

lived in the house had been examined by the attorneys of the offices, and it was with the greatest astonishment he found that after an inquiry had gone on for some time as to the value of the furniture, suspicions existed as to the cause of the fire, and in the result they charged him with setting fire to the house. He found himself virtually charged with arson—a felony not long since capital, and now punishable with penal servitude for life. That was the charge made, and it involved the butler, Crozier, and possibly Temple, who also was in the house. Coming now to the history of the house, and of Mr. Wolley's connexion with it, the learned counsel mentioned that while in his possession it had gained great celebrity, and had even been visited by Royalty in the person of the Duchess of Cambridge. He had originally taken the house on his marriage; he had first become tenant, and then in 1854 had purchased the lease for a sum of above 6000*l*. In the lease there were covenants to repair and to insure to the full value, and, in the event of a fire, to apply the sum received on the policy for the purpose of rebuilding the house. Every tenant, indeed, who covenanted to repair was bound in the event of a fire to rebuild, and here there were these express covenants as to insurance and the application of the sums insured; and when Mr. Wolley had recovered the 12,000*l*. insured on the house, he would be bound by his lease to expend it all in rebuilding the mansion. Moreover, long ago by Act of Parliament the companies had an option given them to rebuild, whether the policies gave the option or not; and if it were less expensive to rebuild they would elect, of course, to rebuild. But supposing they elected to pay, the landlord could enforce the application of the money to the purpose of reinstatement. Now, persons of the highest character would be called to show that the cost of rebuilding would at least be 12,000*l*., the amount insured upon it. Nor could this be disputed on the part of the company's surveyor; therefore, as regarded the house, it was obvious that there was no over-insurance, still less fraud. The difficulty with the company, however, had arisen more with reference to the contents of the house than the house itself. To the nature of the interior of the house, therefore, he would now direct the attention of the jury. It was no ordinary building; it was more like a palace than a mansion, it was a mass of quaint and curious carvings and gildings, and was filled with valuable collections. No one who had not seen it could realize its magnificence, but, happily, ladies and artists had made many drawings of the interior decorations, and photographs also had been taken of the interior. The jury could easily fancy the character of a house of this kind, a hundred feet in length. Ever since Mr. Wolley had the house he had been engaged in improving and decorating it. The learned counsel here exhibited drawings of the interior, showing the carved work and beautiful ceilings, explaining that they did not show many articles of furniture, because the artists had purposely had them removed for the purpose of the drawings, which were to represent the interior—not the furniture. (These drawings, which were large and well executed, and certainly showed very picturesque and beautiful interiors, were put into the hands of the jury.) The great point to be observed was that the staircase ran up the centre of the house. At the top of the staircase was a corridor of large size. One of the canopies took three months to execute, being taken from the ruins of York Minster—from which it was purchased by Mr. Wolley—and another from Westminster Abbey. The wood-work was gilded, and the whole was one mass of gilding. The expense to which he went was enormous, and almost unbounded. Almost the whole of his fortune, with his wife's, was expended, and a considerable portion of his sister-in-law's. One of the arches in the interior was unique; it was taken by Mr. Cottingham,

the architect, from Westminster Abbey. It was decorated most gorgeously, and looked like a golden arch. The rooms were hung with crimson and gold; there were oak carvings and heavy candelabra and chandeliers, and Venetian and Bohemian glass,—every thing, in fact, which was rich and rare. It was Mr. Wolley's hobby, as well as that of his wife's family, to amass these curiosities. Old curiosity-shops were ransacked for the purpose; and such was his enthusiasm, that he actually bought an estate in order to get at the carvings in its mansion-house. There was one room in the house nearly a hundred feet long, extending the whole length of it, called the ball-room. The house altogether was utterly unrivalled; it might be deemed a folly, but it was Mr. Wolley's fancy; it was, in fact, his hobby. The whole length of the ball-room was divided into panels, and every panel filled up with a picture. Such was the style of the house, and in the same spirit its owner acted. He kept up a sumptuous and noble hospitality, and gave splendid entertainments; and at last the house became quite remarkable for its character, and ladies and gentlemen who had honoured Mr. Wolley with their company would be called as witnesses to describe it and its contents, and to negative the idea of removal of its furniture. As much as 16,000*l.* had been advanced to him. His wife's fortune was about 30,000*l.* or 40,000*l.*, and it was all expended on the house. To keep up its character there were servants in livery of blue and silver—many of them borrowed for the occasion, no doubt. It might be said it was all "tinsel," but no such thing; the fêtes took place by night and day, and always with the greatest splendour. The learned counsel went on to state, that numerous persons—especially Temple and Timbrell—had been constantly employed in and upon the premises. Timbrell was dead, but his evidence had been taken, and it was to the effect that he had worked for years under Temple, and that the value of the work and materials could not be less than 10,000*l.*, and that 1000*l.* had been paid to him alone for gold for gilding; and as to the furniture, &c., he said it was worth 6000*l.* or 7000*l.*, and the fittings, 7000*l.*; yet the furniture was only insured for 5000*l.*, and the fixtures, &c., for 7000*l.* The pictures had been insured at 5000*l.* with a priced catalogue deposited with the office, which, indeed, did not include all of them, for many were left uninsured. The witness Timbrell had been examined by the office, and his business, he said, was to regild and refit the furniture and fittings. There were other witnesses who would give similar evidence, and confirm the drawings and the value of the house and its contents. The offices, indeed, alleged that the insurances had been increased, and that was true enough; and if it were not so, what would have become of his mortgagees? In 1856 Mr. Wolley let his house to a man of great notoriety, Colonel Waugh, and on that occasion thought it advisable to increase his insurances. In the autumn of 1859 there were further insurances, in consequence of the entreaties of Mr. and Miss Coape—the latter of whom was interested, and had advanced 5000*l.* on the house, and 8000*l.* on the furniture. The business of the new insurance was, however, managed through the intervention of the agent, Mr. Freeth, who saw the premises, and actually wanted Mr. Wolley to insure still more. And now, forsooth, it was suggested by the offices that it was suspicious that the insurances should have been increased, although they had charged the highest possible rate—the "doubly hazardous rate"—on account of the age of the building and the dryness of the timbers. What ground was there for suspicion in the increase of the insurances up to and not beyond the real and true value? About the time these insurances were effected Mr. Wolley took a house at Brighton, and the furniture of the house at Tunbridge (which



had been removed to Campden House) was sent to that house at Brighton. No doubt there were some things also from Campden House, but the greater part was from the house at Tunbridge. It had eked out that the office intended to impute a fraudulent removal of furniture from Campden House; but the removal was not secret, and Mr. Wolley had actually insured the Brighton house furniture in the same office, the Sun. It had all been done with the knowledge of the office; and they received about 130*l.* a year in premiums. At this time there was 12,000*l.* on the house, 7000*l.* on the fixtures and fittings, and 5000*l.* on the pictures. There was at this time no insurance on the furniture, down to 1861. In the autumn of that year, however, Mr. Wolley had determined to let Campden House, and Miss Coape suggested that there was then no insurance on the furniture, and accordingly an insurance upon the furniture of 5000*l.* was effected through Freeth. That was in October, 1861, and so the insurances stood down to and at the time of the fire, the amount being 29,000*l.* No doubt it seemed a large sum, but what was it after all for house and fixtures and fittings and furniture and pictures? The real truth was that Mr. Wolley was the party least interested in the question, and that the parties really interested were the mortgagees and the landlord. What was there, after all, in the case to excite suspicion? It had been rumoured that the plaintiff took waggon loads of goods and pictures to Brighton. The jury would see what truth there was in that. Some things, no doubt, had been removed, but only a few; and there was no pretence for a charge of fraud but the removal. Before the family went to Brighton, in November, it being the close of the season in London, Mr. Wolley was desirous of having the woodwork re-varnished, and varnish was bought for the purpose, and he and Mr. Coape, and Temple and Crozier set to work at it, and linen hangings were bought to protect the pictures, &c. The jury would hardly believe that it was suggested that all this was with a view to prepare combustibles for a fire! Well, on his return to the house, on the 3rd of March, this continued; and he would sometimes buy varnish for the purpose. The learned counsel then came to the description of the circumstances of the fire, of which a full account would be given by the witnesses whom he intended to call. The first impulse of Mr. Wolley and Crozier was, he said, to save the Temples, who were at the back of the house. The police went to the front, while Mr. Wolley and Crozier were shouting at the back, and in the result the Temples were saved. The night was wet, and Mr. Wolley, who got out—not, indeed, in his night shirt, but in his bed shirt—caught cold, and was for some time very ill. The fire burned rapidly because the materials were so old, and in many places the beams embedded in the wall were quite consumed. The rain was not enough to damp the fire, which burnt with terrible rapidity, and soon consumed the whole. The learned counsel then went on to advert to an article which had appeared in the “West London Observer,” as to which he said that no doubt Mr. Wolley had communicated the information on which it was composed. It was supposed that it cast some reflection upon Temple. Beyond all doubt he was not with his wife and child, and though the police were, they said, on one side of the house, Mr. Wolley was on the other, and he did not see them. With regard to the origin of the fire, the learned counsel said it was found impossible to ascertain it; there were very few fires in the house, but, beyond all doubt, Temple had said he was frying sausages “in the green-room,” and there was a flue from the chimney of that room right across the house, and a beam in it. It might be that the fire had originated there, and that the beam had smouldered all night and burst out about three o’clock in the morning. The learned counsel then went on to advert to the correspondence on the subject of the

claims. Coming to the charge of arson, he said it rested on a number of little circumstances which raised a cloud of suspicion, under cover of which the office hoped by cross-examination of Mr. Wolley, and going into the history of his whole life, to extract evidence sufficient to support their charge. He would place Mr. Wolley in the witness-box, and challenge all their scrutiny. Indeed, the office had already had the opportunity of examining him, and had declined doing so, though they had examined all the rest of the inmates of the house. Among the other circumstances of suspicion relied upon was the discovery of a bundle of clothes under the portico, which it was suggested were prepared and provided for the event which had occurred. The attorney for the plaintiff had asked to be allowed to inspect these clothes, but this was refused, and probably they would turn out to be clothes sent by a friend. The reply of the company's attorney was that Mr. Wolley could surely tell what the clothes were. But they might have been sent by some one else; and surely he was entitled to see them. Another circumstance of suspicion was supposed to be the hanging of tapestry over the windows, as was suggested, to conceal the flames as long as possible. This was utterly idle. Then it was said that it was strange that Mr. Wolley should have worked at the varnishing himself; but that was a matter of taste, though it was certainly a peculiarity. It was said that there was no plate found in the *débris*, nor any signs of wine in the cellar. But the reason for this was very simple; it was that the plate and wine had been taken to Brighton on the removal of the family for the autumn. But there was no pretence for the charge of a fraudulent removal of furniture and pictures. It was said the claim was fraudulent, but that was not possible as regarded this policy, nor, indeed, as regarded any other, for beyond all question Mr. Wolley was not fully insured. The real question was whether he had set fire to the house. Why should he do so? There was no reason for it. Why should he destroy a house which had been the pride and pleasure of his life? And, indeed, what interest could he have in its destruction? The house he must rebuild. The furniture and other contents were assigned. He came forward there not so much to enforce the policies as to vindicate his client's character. The offices had threatened to rip up every event in his past life. "Gentlemen," said Mr. Bovill, "we fear not the closest scrutiny. On the part of my client we invite it. The real, the true question, I repeat, is whether he set fire to this house; and I am firmly persuaded you will find that there is no foundation for the charge."

Miss Barker, sister of Sir Geo. Barker, a lady who had executed some of the drawings exhibited, was then called.—She was acquainted, she said, with Mr. Wolley and his sister, Miss Coape, and she was often at Campden House. There was a profusion of pictures, statues, and a great deal of gilding. There were more pictures than were hung up; and some were in lumber-rooms. Many of them seemed valuable, and they were all old. In the ball-room most of them were in the panelling, and so in the library. The house was exceedingly beautiful. The furniture was very rich and appropriate to the character of the house. There was a great deal of ancient embroidery, and much of it seemed rare. The carpets were extremely good, and in good order, "velvet pile." At the back was the theatre, and she had acted herself there a good deal in 1861. The performances were got up by different persons of position for the benefit of charities. Lord Raynham and Lady Ann Sherson got up some. She herself got up one. The theatre was extremely handsome, the appointments good, and the "properties" sufficient. Mr. Wolley took a great deal of interest in the house. She never knew any one take so much interest in any thing. His amusement

and his sister's seemed to be entirely in the house. She last saw the premises in the beginning of December, 1861, the winter before the fire. That was just before Mr. Coape went to Brighton. There was no change then in the furniture or fittings. She knew the house at Brighton, and she did not believe there was a single thing in it which she had ever seen at Campden House, except one or two small ornaments. When she saw the house at Campden-hill, in December, it seemed to be thoroughly furnished; indeed, over furnished.

Cross-examined.—She said she missed nothing. She was first at Campden House eight or nine years ago, at a concert. There were large assemblies there very frequently, and theatrical entertainments, perhaps twenty in the season. Her first introduction to Mr. Wolley was with Mrs. Milner Gibson. She was first intimate in 1860, and called more frequently, and in 1861 she was there continually. She was at the Brighton house first in that year, or end of 1860. As to the pictures, she should say there were 300 at Campden House. They were every where about the house. There were seven chandeliers of Venetian glass in the ball-room. She thought they were for candles, not gas. There would be sometimes about 300 or 400 people there at assemblies and concerts. There were on these occasions suppers—regular suppers. The witness was then asked as to the month of March before the fire, and it was elicited that she did not know Mr. Wolley was in town for a day, as he was at that time, and had understood from him that he was only to be there a few days. She was finally asked as to a fête given by Mr. Wolley a few weeks ago at the grounds of Campden House. It was, she said, very extensive. There were, she thought, about 800 people there. Mr. Wolley had a very large circle of acquaintance.

Lady Belcher was the next witness called. She had known Mrs. Wolley before her marriage, and knew Mr. Wolley since 1848. She gave very similar evidence to that of the last witness.

Sir John Burgoyne, who said he had known Mr. Wolley for some years, and had been on friendly terms with him, confirmed the evidence of these witnesses. The articles at Campden House seemed rich and *recherchés*, and Mr. Wolley appeared to have a mania for acquiring such articles.

Cross-examined.—He said that cards were issued very widely for the entertainments at Campden House.

Count Wezelé was next called, and gave similar evidence. He said he had been at the house a few days before the fire, but only saw Temple there, and did not see him until after the fire.

Colonel Macdonald was called, and gave similar testimony.

Mrs. Smythies, who had known the plaintiff since 1840, gave evidence of a similar character. She called at the house, she said, three days before the fire, and saw Mr. Wolley there. She was in the room called the ball-room, which was full of furniture all in the middle, covered over with brown holland, paper, and cloths of all sorts, there being, as it appeared, workmen in the house, decorators, &c. Pictures were on the floor, and all was in confusion, and she took her leave.

Cross-examined.—She could not say how many workmen she saw. She saw Crozier and some two or three other persons—that is, a man and a boy—for she took no particular note. In 1840 the plaintiff was in excellent society, and very much courted. He was then quite a youth. She did not know his father. She only knew him at parties. She lost sight of him on her marriage. When she went to the house in March she saw the walls covered with sheets of

holland, as she had seen walls covered in cases where decorators were at work. The pictures were, she said, against the walls.

Mr. Wolley the plaintiff was then called. He stated that in 1847 he married a Miss Coape, a lady of considerable fortune, and soon after took Campden House, and in 1854 purchased the lease for 6200*l*. He proceeded,—When I first took possession of the house it was in a very dilapidated state. With the exception of one room, the dining-room, there were merely the bare walls. Many persons said I was mad to take it. From the time I took it I laid out very considerable sums of money upon it gradually. I was some years about it. A great deal was necessary to be done externally and internally. I fitted it up according to my own taste. There were very few fittings in it. I took the grates out and fitted it up in the style of the original age of the house, with dogs for firewood, &c. I continued these restorations for a number of years. In fact, I was continually doing something to it. At the time I bought it, it was greatly improved, and I then continued to improve it, and was always doing something up to the time of the fire. I was always purchasing things, such as panels, and had them put together. I purchased them in all places, at home and abroad. I did not always pay ready money for them. I recollect purchasing a place in Essex called “Fearing.” It was an old house, and there were very remarkable carvings in it. I am almost afraid to say how much I gave for it; I think 1500*l*. or 2000*l*. It was before my wife’s death. I purchased it not for the purpose of using it, but for the sake of the carvings, which were of the time of Henry VII., very remarkable; indeed, there are casts of them in the Kensington Museum. They were removed to Campden House, and one room—the breakfast-room—was entirely fitted up with them, and furnished in keeping with the carvings. I was constantly purchasing pictures, both abroad and in England; very few modern ones, chiefly of the ancient school, little known in this country at that time. Italy was in a very disturbed state at that time, and things were often for sale. The panel pictures were principally in the room called the long-room, or ball-room. Some time ago, I may state, I had an illness, and am almost blind sometimes, and can hardly see by day. There might be twenty or twenty-five pictures in the room of great value; several very fine Italian pictures. There was a portrait I bought at Brescia, of great value; that was one of the panel pictures. There was a picture by Velasquez, I think. There were also a great many pictures in frames, and a good many that had not been framed or were taken out of frames, for I had a fancy for ebony frames, and would purchase pictures for the sake of such frames, and take them out; and this I used generally to do by myself. Those that were not in frames were all over the house—a great many in the corridor, some in a cupboard in the library. There were not very many looking-glasses. There was one magnificent Florentine or Venetian glass at the end of the ball-room. It was in a very magnificent frame, and that was its value; elaborately carved—the early part of the sixteenth century. It was, I believe, the finest glass of the kind in England, and I had never seen one like it. My brother-in-law, who had a house in the Isle of Wight, was anxious for it, and said he would give 400*l*. for it. There were a great many chandeliers procured from different places, many of them bought at Falcke’s, Bond-street; but they were much added to afterwards, and crystals, &c., bought at various times, put to them. There was a great deal of gilding in the house. From time to time, when I saw any thing in the style of the house I bought it. I had no professional occupation; my house and garden were my occupation; and I used to be always fitting up sometl<sup>g</sup>.



I gave 150*l.* for the dining-room table, and furnished the room in accordance with it. The rooms were richly furnished in various ancient styles—Louis Quatorze or Louis Quinze. It was very full indeed of furniture, and some of my friends used to say it was like a broker's shop. The drawing-room was originally varnished by me. It was covered with white paint, and I had great trouble in getting it off, and varnish was necessary for it. That was the only room varnished when I first went into the house. I used afterwards a great deal of varnish about the house, and I myself used a great deal of it, chiefly for the library-staircase and hall-staircase. We commenced in this way. There was a fine door, formed of an old cabinet, getting very discoloured, and my sister suggested that I should try varnish upon it, and at her suggestion I did so; my brother-in-law, Captain Coape, assisted me, and it looked so well that I did a little more. This was at the end of 1861, and the early part of 1862. I have never purchased any varnish myself. There was a person named Temple in my employment; he came when I first took the house, and he was there at the time of the fire. His wife and son were there also; but, in fact, I never knew who was in the house, as their relations were numerous. His wife was not employed by me. I employed him as a carpenter, and I paid him at first 35*s.* a week, but afterwards bills used to run on, and he had money occasionally. I should think that perhaps 7000*l.* or 8000*l.* have been paid by me to him, and spent upon the house substantially. There were ceilings put up and carved bosses. There was also a person named Timbrell, who is, unfortunately, dead. He did all the gilding, and a great deal of money passed through his hands for the repairing and restoring. He had been twelve or fourteen years employed by me. Before him another person was employed as gilder and carver. Timbrell has died since the fire. My household consisted of my sister-in-law, Miss Coape, who was always with me before and after my marriage. She and her brother always took an interest in these matters. He did not live with me during my wife's life, though he was a great deal there. I think my wife's fortune was supposed to be 22,000*l.* or 23,000*l.* It was in Russian stock, and we received about 1000*l.* a year; but her father had railway stock, bonds, &c.—I can hardly say what. Miss Coape also had a fortune of her own, and she had advanced 8000*l.* on the furniture, &c.; and I had 17,000*l.* from her altogether. I was in the habit of giving theatrical entertainments, not always at my own expense; it depended a good deal on what the charity was. If it was a poor charity I found the lighting, &c.; if not, they paid their own expenses. There was gas in the house, and candles were used too. The corridors were lighted with gas, and other parts of the house. I gave parties as well as theatrical entertainments, and occasionally, but very seldom, dinner parties. There were more parties during my wife's life, but after her death they were chiefly for charitable purposes. I kept neither horses nor carriages, and my expenditure in other matters than those of the house was small. I had no great stock of wine, and got wine in as I wanted it. There was a mortgage to Mr. Borradaile for 3000*l.*, as well as those to my wife. In 1855, I think, I let the house to Colonel Waugh for sixteen or eighteen months. During that time my wife and I were at Tunbridge Castle, in Kent, which I hired and furnished, not from the house; the bulk of the furniture was from other sources. Colonel Waugh paid me, I think, when he first took the house, twenty guineas a week. It was let first, I think, for six months, and I am not certain that the rent was not altered. He removed some of the articles without my consent. I got money for some of them; they were replaced with others. The furniture at Campden House was

not materially altered. While we were at Tunbridge Castle I had the misfortune to lose my wife. I was not there at the time. I was staying at a place near Windsor. After that my health was affected. I had previously lost my only child. My eyes from that time became affected. I went to Paris; afterwards I returned to Campden House. The furniture of the Tunbridge house was most of it brought to Campden House; the rest was sold by auction. Afterwards I took a house at Brighton, unfurnished—a very small house. It was furnished mostly with the things from Tunbridge Castle. I occupied the Brighton house in 1859—October or November, I think. I came up again to Campden House in April or May following, in 1860. At that time I effected insurances, through Mr. Freeth, as agent, both on the Brighton house and the Campden-hill house. I went on making alterations and improvements in the house. In the autumn of 1860 I did not go to Brighton and let the Brighton house, but in the autumn of 1861 I went again to Brighton. It was intended to let Campden House. At this time the mortgages had been effected in favour of Miss Coape. She and Captain Coape had frequent conversations with me as to insurances in 1859, and again in 1861, before we left for Brighton. At that time the furniture was uninsured, a great portion of my debt to Miss Coape being secured by the furniture. She pressed me a great deal to insure it before we left, which I did. It was determined to effect that insurance. There was none then on the furniture. The other policies had then been effected. In 1859 I had increased the insurances on house and fittings. It was proposed to let the house, and that I should leave England, as I was unwell, and in consequence of that the insurances were effected. This was discussed, and the value of the house and fittings was considered. I remember saying to Temple, "Could you rebuild the house for 4000*l*?" and he laughed, and said, "Oh no, not for 20,000*l*." The insurances were effected through Mr. Freeth, the agent. The Sun, he said, stated that they had already such an enormous amount upon the house that they declined any further insurance upon it; but this was owing to an error on their part in supposing that a former policy which had lapsed was still in force. Afterwards he said the Sun would take 10,000*l*. more on the house, and I might effect another insurance in some other office. In the result, 10,000*l*. was insured on house and fixtures. At that time there was 10,000*l*. on the house, and 9000*l*. on the fittings. Mr. Freeth said that was a very large amount on fittings, and it was altered to 12,000*l*. on the house, and 7000*l*. on the fittings. That was in 1859, and the Brighton house furniture was also insured in the Sun for 3500*l*. Some of the pictures came from Tunbridge, and others from Campden House, and some were bought at sales. Previously to my going to Brighton in 1861 I sent some things there. I did not pack them all up. I don't remember the number of packages, but there were a great many. There was all the luggage of Mr. and Mrs. Coape, and the housekeeper and servants, &c. As far as I know, no furniture of any kind was sent. There was a harp of Miss Coape's and some ornaments, and there might have been some other things. Crozier knows more about the matter than I do. He packed up many of the things; and he always goes with me. No other things that I know of were removed from Campden House. There were some chairs once sent from Brighton to Campden House, and they were sent back again. There were vases of Mr. James Coape's (not Captain Coape's). I went to Brighton in 1861, and came up occasionally; first, I believe, in December, to see Mr. Mark Philips, who had proposed to take the house; but there was not enough stabling. I came up in December, and went down again,

and came up, I think, in January, but am not certain; it might have been in February. I came up again in March, and had been at Campden House three weeks before the fire; it must have been about the 3rd or 4th of March. I came up with Crozier. I had left directions with Temple to get the dining-room varnished, and I found, I think, that it was not entirely done, for we worked at it. Part of the staircase was left undone, and I helped to varnish it. While I was in the house I was generally in the library, usually dining in Mrs. Temple's room (the housekeeper's). I slept in a small room adjoining the bath-room; and Crozier occupied a room nearly opposite mine; a passage divided them. When we came up the house was very dirty; it was covered with dust. That was the reason for covering it up. We covered it up with a sort of sheeting. Crozier and I did it; a great deal of paper was used to cover the carvings and pictures. I suppose it is the usual way of covering up such things; it was the way I have done it. Temple was about the house and Mrs. Temple, and was constantly coming about it; so I suppose they saw it all. My usual room was at the back of the house, but it had a bad aspect, and I liked the other room best, which was an upper room. The Temples slept in the opposite side of the house; the east side. I knew they slept there—husband, wife, and child, and probably many more, for they were always having relations there; the three, at all events, were there. I knew this on the day before the fire. On the Saturday, the 22nd, I went to town late. I had not been out before in the day. I had been covering up a portion of the carving in the library, and Mrs. Temple had been talking with me. I dined in town, and Crozier accompanied me, and I returned, I should suppose, about seven. After dinner I went about with Crozier, and I walked down Brompton and bought a pair of goloshes, and then we returned home. I got home, I should suppose, about ten or half-past ten. It was not later than eleven. Afterwards I did not leave the house, nor go out of it at all. I went into the library when I came home. There was no fire there, but the gas was burning. There was no fire in my bed-room. Crozier said he would go and see, and came and told me so, and that he had just lighted it, or that it was just lighted, and had not burnt up. I waited some time, and then I went upstairs to my bed-room, and found Crozier there. He assisted me, as usual, to undress, but before that I went downstairs with him. He said he would go to put the gas out, and I said, "I will go with you," and I went with him. As we were going downstairs I met Temple and his wife, who were going up to bed. He said, "I thought you were in the library, sir, as I saw a light there. If I had known you were upstairs, I would have put the gas out." I said I was going down with Crozier to do it. I often did so. It took me a short time to do it. We went into the library; and, after we had shut up, we went upstairs, and Crozier assisted me to undress, and I got into bed, and he left me apparently to go to his bed-room. I believe I went to sleep.

Mr. Baron Bramwell.—What time do you suppose you went to bed?

Mr. Wolley.—I really cannot say. Crozier probably will be able to do so. It was, perhaps, near twelve. I had been in bed some time when I was awoke by some noise. I cannot say what. It seemed in the servant's room. Then, after a second or two, I heard a heavy noise, and I thought some one was in the house. I rushed to the door and opened it, and smoke came in. My first thought was the Temples, but I could not cross the stairs; the flames were bursting out. I went back to the back stairs, and Crozier followed me. I was thinking, in fact, of returning when he came up to me. We rushed down, and had great difficulty in opening the door into the kitchen; we opened that and

two other doors, and got out into the garden at the back. I screamed, and called out to the Temples, and went to their side of the house; the flames were coming out of the large staircase window, the large window over the theatre (at the back of the house). After a short time Mrs. Temple appeared at the window, which was the upper one at the back of the house, at the end nearest Church-road, the farthest from Little Campden House. I tried to arrest her, but she threw herself from the window, and I picked her up; the boy appeared behind her, and he was induced to wait there until the fire-escape came and rescued him. I did not see Temple; the first person I saw, I think, was a Mr. Freer. I had nothing on but my shirt—no shoes, stockings, or slippers. It was a day shirt. I never wore a night shirt. I have some recollection of some one putting something over me; I don't know who, but the first person I remember seeing was Mr. Freer. I recollect a policeman after that knocking at the front door. I remember the knocking at the door, and a policeman coming into the garden, and I said to him, "For God's sake, go and get some assistance;" and he said, in a sleepy tone, "Oh, I am a stranger in the neighbourhood." I said, "For God's sake, go and get an engine." He said, "I don't know where it is kept." I went into a house. I there saw Temple; he was very much burnt. I had thought he was burnt. Mrs. Temple said so. It was a rainy and windy night. Dr. Hamilton, my medical attendant, came and took me away to his house at Grafton-street. He had attended me some time. I suffered a great deal subsequent to the fire, and was attended. At the time of the fire there was the same amount of furniture in the house as at any time. There had been nothing removed that I know of.

Mr. Serjeant Ballantine.—Now, I must ask you the question invited by the plea upon this record. Did you set fire to that house?

Mr. Wolley.—Most decidedly not.

Mr. Serjeant Ballantine.—Did you cause it by any act, or contrivance, or procurement of yours?

Mr. Wolley.—No, certainly not.

Mr. Serjeant Ballantine.—Have you any notion how it occurred?

Mr. Wolley.—I cannot, of course, tell how it occurred. I heard that there was a fire in the green-room, but I cannot say of my own knowledge how it occurred. He went on in answer to further questions to say that subsequently he made out a catalogue of furniture as his claim. He had no documents, he said; he was very ill at the time, and in his bed. He was subject to epileptic attacks, and he was assisted to do it by his sister. (The catalogue was now produced; it was the one originally made out.) I sent this to my solicitor; it was not intended for the office. (Another catalogue, a fair copy, was then produced, signed by the plaintiff.) I made that out with the assistance of Mr. and Miss Coape, the housekeeper, and Crozier—not Temple; he gave me no assistance. As far as I know it is a true claim, and no part of the property has been overvalued—indeed, I believe, it is undervalued. At the end of the catalogue I gave an explanation in writing. This was on the 9th of September, and the total amount came to over 8000*l.*, the insurance (on furniture) being 5000*l.*

The learned Judge.—That claim related only to the furniture, not the fittings, &c.?

Mr. Wolley.—Just so.

Mr. Wolley went on to state that he had an interview with the solicitors of the company at his own attorney's office, where the inmates of the house were examined. I offered (he said) to answer any questions they might ask me; but



they asked me only a few, and then refused to go on. The solicitor—I cannot say which of them it was—said his time was too valuable to go into the matter, and he must go away, and requested that any thing I had to say I would write. Up to that time I had not heard any suggestion that I had set fire to the house. Subsequently—in January—I tendered myself to be examined at the office, and I then had heard that it was suggested.

Mr. Wolley was then cross-examined by Mr. Lush.—Had you not heard it not very long after the fire?—No, I had not.

Was it a long time after the fire that you first heard of the rumour?—Yes, I think some time. I really forget.

Forget! I should think it was a matter in which you would be too deeply interested easily to forget. You had given to the world your account of the fire, you know, in a newspaper, very soon after it occurred?—Yes; I gave my account of it. Mr. Thompson, the editor of the “West London Observer,” asked me for certain information, and I gave it to him as far as I could recollect. He came to me, and wrote the account out afterwards. I did not send it to him. I gave him the heads of it.

And that was within the week after the fire?—I believe so.

Well, do you mean that you had not at that time heard of the rumours?—Most decidedly not.

Well, I shall have to call attention to that more minutely hereafter. Allow me to ask you if you have had any professional occupation since your marriage?—No.

Any before?—I had various occupations before.

Pray, what was your occupation just before your marriage?—I was once in a counting-house in Regent-street, at a Mr. Mitchell’s. I had a great number of friends at the time, and I had occasional remittances, and I used to stay with my friends.

That is not “occupation.” What was your occupation immediately before your marriage?—I had no occupation then.

What was the last you had before your marriage?—The last, I think, was with a French gentleman, as translator, &c.

What did you call yourself?—I might be called a clerk.

Any salary?—Yes, 50*l.* a year; it was only for a short time.

You have acted, I believe?—Yes, but not professionally. I never got any thing.

But were you not one of a company of professional actors?—I was one of the company, but not engaged as an actor. I never received any salary.

What were your means?—I had remittances from friends; I had many friends in London who assisted me.

Any other occupation than what you have told me?—No. I don’t recollect any.

You must surely recollect?—No.

Do you know Raggett’s Hotel?—Yes.

Were you ever there?—Yes.

In what capacity?—I knew young Mr. Raggett very well; I was asked to go there, and I have been frequently there, and stayed there.

In what capacity?—Oh, I know you call me waiter there; I did not call myself waiter. I knew the family well.

Did you not act as waiter there?—No, I did not.

What did you do there?—Attend to the books, or any thing to assist; but I did not consider myself as a waiter.

What were you paid?—Nothing, that I recollect.

What! not recollect your wages?—I had no salary, no wages. Mr. Raggett may have given me something occasionally, but no regular payment. But this was twenty-five years ago.

How old are you now?—Forty-six.

At the time of your marriage had you any means of your own?—I had a house in Curzon-street once, furnished, but not at the time of the marriage, because, with the consent of my wife, I had parted with it.

Had you any means at the time of your marriage other than what you have mentioned?—No, I had not; my means were uncertain, but my wife was aware of it.

Now I must ask you—and be careful how you answer it—will you swear that you were not out of the house after twelve o'clock on that night?—Positively and solemnly I swear it.

Then of course I need not ask you if you were out as late as three o'clock—you and Crozier together?—I positively and solemnly swear it. I never saw him after he left my room.

When you went up to bed last did you close the back door—the back door that leads to the kitchen?—No, I did not.

You went down to fasten up, did you not?—Yes, but I did not go to the back. I sat down on the stairs until Crozier came to me. He went to the pantry to fasten up the offices. I never shut up the offices myself. Crozier had the closing of that part of the house.

Was there a light burning any where?—Not that I am aware of.

Had the gas been put out in the library?—Yes.

The learned Judge.—When?—Before Crozier went to shut up the back office.

Who put it out?—I think Crozier and I together; he was in the room at the time.

You met the Temples on the staircase?—Yes.

Did Crozier say at the time that you and he were going to sit up very late that night?—No, nothing of the kind. I have no recollection of it.

Will you swear that he did not in your hearing say that?—I don't recollect it; I did not hear it.

What time did you first notice the fire?—I don't know; I cannot say. I have not the least idea of what time it was.

Did you not notice the time?—How could I? I rushed down the stairs.

Did you knock at Crozier's door?—As I went up I knocked at his door violently.

Which way did you go?—Down the back stairs.

Did you find the back door open?—No, locked.

Quite sure of that?—Positive. I had great difficulty in getting it open.

You and Crozier went out by that door?—Yes, the kitchen door—the door leading into the kitchen.

Were the flames coming out of the windows?—Out of the staircase windows.

Were they coming through the windows?—Yes.

Did you hear the policeman's rattle?—Not at that time; not for some time.

How long?—Time under such circumstances appears very long. I thought it was three-quarters of an hour, but I suppose I was wrong. I really cannot tell. It seemed an age.

Was the policeman's rattle the first thing you heard?—No; Mrs. Temple was the first thing I heard.

Do you mean to adhere to that?—Yes, most decidedly.

What! her screams?—No; she came out of the window.

Did not a policeman come round to you before any flames had burst out?—No. No policeman came to me before she threw herself out of the window; that I can positively swear.

Did you scream out?—Yes. I screamed, "Fire!" "Murder!" every thing I could think of.

Before you heard the rattle?—Before I heard or saw any policeman. The first person I recollect seeing was not a policeman, but Mr. Freer. I do not recollect any one before that.

Did you not see some one besides her and the policeman?—No, I did not.

How many policemen did you see?—I only recollect two, but I am almost blind at night; I see nothing.

You saw Mrs. Temple?—Yes, I saw her, and heard her.

Did one of the policemen say to you, "Are there any inmates in the house?"—Yes, but that was some time afterwards.

How long?—I cannot tell the time; it is impossible.

Will you pledge your oath it was five minutes after you got out?—No, I cannot.

Will you swear it was two minutes?—No, I cannot tell; it might have been five, ten, or fifteen.

But you were quite self-possessed?—Quite.

Well, being self-possessed, can't you say whether it was three minutes or three-quarters of an hour?—I cannot.

Did you hear the policeman's rattle?—Yes; he sprang it as he went.

Did you not hear it before he came?—Oh yes. I saw him as he came up. I said something about a fire-escape, and begged him to get assistance, and he then went away, and sprang his rattle as he was going.

Then, did you not hear his rattle before he was going?—No, I heard none.

Was Crozier standing before you when the policeman came?—Yes, he was there.

How long was it before you were taken to Gloucester-terrace?—At the same time that Mrs. Temple was taken away; but I got excited. I was rushing about.

In what state, then, was the building? Were not the flames coming out at all sides?—No, not at all sides. When I went away there were no flames in the theatre, or on that side of the house; they were coming out of the large window, and they caught the side of Mrs. Temple's room; but I have no recollection.

Cannot you give any idea how long it was before you saw her?—No; it seemed a long time, but might have been an hour.

Was not the fire burning on every side and in every room?—Not that I am aware of. Most decidedly not.

You cannot give me the time it began, nor how long it took to burn the building?—No, I cannot.

Where did Crozier go to?—To Mrs. Stevens's, with me. I was not certain he was not one of those who took me there.

The room you slept in had a window opening towards the leads, close to Mr. Egg's house (Little Campden House, which adjoined)?—Yes.

Your usual sleeping-room was at the back?—It was.

Was there any fire in the room where you slept that night—before you left it had the fire reached it?—No; it had not reached the bed-room.

You did not find any smoke until you opened the door?—No.

Where is the green-room?—On that side of the house.

Does it not lie under your room and Crozier's?—Yes.

Not under your bed-room that night, but your usual bed-room?—Yes, and under Crozier's.

When you opened your door did you see the flames?—I turned to the right of the stairs, and when I got to the staircase I saw flames.

Where?—It seemed to me that the staircase was on fire.

On the east side of the house there are seven windows; had they blinds or curtains?—No, not all of them. Not before the tapestry was put up; the lower window of the library on that side had shutters, which were closed. There were curtains on two dining-room windows there. There was tapestry put up at two of the gallery windows; not the dining-room.

At both the gallery windows?—Yes.

When?—A week before the fire—it might have been longer.

Nailed up?—They were nailed up. They were put up for the purpose of repairing.

Had you ever put them up before?—No. I had never repaired them before.

Did you want to find out in that way whether they needed repairs?—I knew that. It is the only way in which they could be repaired. Mrs. Temple promised to assist me in repairing them.

Did she ask you for what purpose they were put up before the windows?—No; I told her, and she said she would assist me.

Will you swear that you did not put up tapestry in the east dining-room window?—No, decidedly not; there were two curtains there.

Will you swear that?—Most decidedly.

How many windows did you put up tapestry to?—The three gallery windows.

Did you not nail up, so as to cover the hall windows, a coarse dowlais got to cover carpets?—Yes; it went all round the hall and covered part of the window, but it was looped up at the side.

Did you nail it up so as to cover the hall window?—Yes; it came partly over the window.

Was it not nailed up at each of the windows so as to hide what was going on in the hall?—No; it was looped up so as to give sufficient light. The object was to cover the carvings, which had been cleaned.

Did it not hide from those who were without any thing that took place in the hall?—No; it was looped up.

There are houses all along that (the front) side of the house, the windows of which would overlook the house?—Yes.

How long before the fire was this cloth put up?—It might be a week.

And there it remained until the fire?—Yes.

Did you before the fire repair any of the tapestry?—No; they had got some needles for me to do it, and I had begun a portion of it.

You were going to do it yourself?—Yes; with the assistance of Mrs. Temple I have often done these things.

How lately had you finished the varnishing?—Very few days before the fire.

You bought a quantity of paper, such as is used in papering rooms?—Yes.

How many pieces?—I don't know; I think forty.

You are right—there were forty pieces. Did you hang them up to the



ceiling, so that they should fall loosely to the ground?—Not that I am aware of.

You must know. Will you swear they were not?—Some of them were put in that way. They were put over the carvings and pictures.

The witness was pressed a good deal as to this and whether he had ever done it before; and he said he thought he had some years before, but could not say when.

The witness was then pressed as to a quantity of sheeting which he admitted had been got and hung up loosely over the walls to cover the carved woodwork. He was asked if he had ever hung up sheeting so before, and he said he had hung up holland sewn together for the purpose of covering the carved work. That was sewn. This was pinned together in pieces.

Did you ever cover the walls in that way before?—No.

The learned Judge.—Never the walls?—No, only the carved work.

He was then pressed about a box of candles, suggested to contain a cwt., which had been had. He said he had ordered them in Oxford-street, but could not say where, nor could he say what they weighed, but they were put in a cupboard, he believed, and he said his sister had written to him about them, that some candles should be got for storing. He was then asked as to the books being taken down, and then left with the leaves open, in the library. This he admitted, and said it was for the purpose of drying, as the house was damp. He was pressed a good deal as to pictures or other things suggested to have been removed, but denied any such removals. He was then questioned about Crozier, his butler, or valet, who, he said, was always with him, because for some ten years he had been subject to fits and required such attendance, and he admitted that he sometimes dined with him. He was asked about Colonel Waugh, and admitted that he had 2000*l.* put to his credit at the bank of which he supposed Colonel Waugh was the head, and probably through his influence. He was then asked as to his purchases of pictures, and pressed as to whether he had not bought a great many of them at very low prices—10*s.* or 15*s.* apiece. He said he did not recollect; but that he had bought some at low prices, but not most of them. Pressed as to the highest sum he had given, he said 100*l.*, or he thought 150*l.*, and being pressed to name any at that price he mentioned one or two. He was asked if he had bought any pictures in 1861, and he said he could not swear, and so as to 1860 and 1859, though he thought that he must have bought some in 1859. He was asked if he was not in difficulties in 1861, and he said he did not consider that he was. He admitted that he had been sued by a butcher for 26*l.*, but could not say whether it had been owing more than a year, and said he had paid it. Asked if a Mr. Lee, a florist, had not in 1860 declined to let him have plants on credit, he denied that he knew of it. He admitted that he had got Temple to discount him a bill in December, 1861, and that in January, 1862, he applied to him to discount ten other bills for 40*l.* and 60*l.* Asked if he had not applied to one Browne, an attorney, to raise him 1000*l.*, he said he thought not, but would not swear it. Asked if he had not said to Mr. Freeth at the time he effected his last policy, that the place was a great incumbrance, he said he had no recollection of it.

Mr. Lush.—You say you had sunk 55,000*l.* or 60,000*l.* in the place?—Very likely I did.

Were you in the habit of giving bills?—Oh, yes.

And of renewing them?—Sometimes—occasionally; not frequently. He went on to admit that he owed Temple 110*l.* at the time of the fire.

Asked if he did not say, a short time before the fire, that the expenses of the place were too great to keep up, he denied it.

Asked if two sofas in the catalogue of his claim were not at Sir Lytton Bulwer's, he said he was sure they were not. Sir Lytton had had two, but not those. Asked as to a bedstead charged 100*l.* in the claim, he admitted that he had given only 5*l.* 10*s.* for it, and had done nothing to it, but he knew 100*l.* had been offered for one similar to it. Asked as to the amount of his claim as originally sent in, he denied that it was meant as a formal claim, and admitted that it was reduced from 8770*l.* to 7515*l.* in his formal claim, and there were, he said, things omitted in it after all. Asked again as to the article in the "West London Observer," he denied that he had corrected the proof, though he would not swear he did not, and he admitted it was read over to him. Pressed as to his knowledge of any rumour at the time as to the origin of the fire, he denied it, as he had done before.

Re-examined.—He said that when at Raggett's, twenty-five years ago, he was on a visit, and at the time of his marriage he was in good society. He was musical and sang, and his society was sought after. He repeated his denial that he had ever gone out of the house after going to bed. He said the purchases of the paper and sheeting were open, and in the neighbourhood. He explained his purpose as to the tapestries—to repair them and fit them to the windows.

The examination and cross-examination of Mr. Wolley lasted several hours. He preserved his self-possession throughout, and answered very quietly.

Mr. Freer was the next witness called.—He stated that he had been at the house at a ball or concert for some charitable purpose. That was the extent of his knowledge of Mr. Wolley. On the night in question he was in Honiton-street and saw sparks coming from Campden House. A policeman was before him, running towards it, and got there first. They knocked at the front door, and threw up stones at the windows. Then he ran round to the left towards the back of the house, outside the wall, and came round again to the front. They then broke palings on the right side and got through to the back of the house. Before that he looked over the wall, and saw some one in his shirt standing on the lawn, calling out to some one. He, witness, went round to the back of the house, and told the policeman it was all right, as the people were out. Then the policeman and he got through the palings and ran round and saw Mr. Wolley, and his servant, and a woman lying on the lawn, and a boy at the window. Mr. Wolley was very much excited, and kept saying, "Oh! poor Temple." Witness said, "Let us try to save the lad," and a ladder was got, but it was too short. Mr. Wolley kept crying out, "Oh, poor Temple! oh, my poor house!" Some one came up (the witness thought a second policeman), and the witness said, "What have you been doing?" and he did not know what the policeman said in answer. He was not certain when the policeman sounded his rattle. As far as he could say he and the policemen were the first persons there. Mr. Wolley had only a shirt on, and the witness took his poncho off and gave it to him. During the whole time he was very much excited. When he got across to the house he fell into a fit. When the witness first arrived, he said, "Flames were coming out behind; they seemed to be coming from the top of the house; not a large body of flames." Mr. Wolley being asked by the witness what awoke him, said, "Some great noise, like a beam falling," and that he opened his door and was nearly suffocated, and had great difficulty in saving his life. The witness sent some clothes in a cab to Mr. Wolley, and did not know what became of them.

Mr. Bovill called upon the company's counsel to produce the clothes they had.

Mr. Lush said they had none.

The learned Judge asked the witness if he could see any flames through the windows in the gallery.

The witness said he did not see any through the windows.

The learned Judge.—Was the fire so far advanced that if the windows had not been obscured by something you could have seen them?

The witness said the fire seemed to him to be at the top of the house, and going towards where young Temple stood.

Dr. Hamilton, the plaintiff's medical attendant, was the next witness called, and confirmed his evidence. He said that when he had been at the house he found Mr. Wolley generally at work, either in the gardens or about the house. He had seen books laid out three or four years ago—with their leaves open to dry. On the night of the fire he found Mr. Wolley in a very nervous and excitable state, and was afraid that he was likely to have an attack of a complaint he was subject to, and which was dangerous, and he took him to his house. He said Mr. Wolley seemed very anxious about the Temples. He continued to attend Mr. Wolley at his lodgings, where he was in a very excitable state, with fits of excitement and despondency, and not at all in a condition to prepare statements, and, indeed, the witness said he forbade it.

Cross-examined.—He saw a good many books on the occasion alluded to, and there was a fire in the room at the time, which was damp. He had not seen them out in the same way before or since. There were a good many books. He had not seen the salvage.

Crozier was the next witness called.—He said he had been four years with Mr. Wolley, and had been before with Colonel Paget. He had been in the habit of always going about with him. In November, when they went to Brighton, no furniture was taken, but plate, linen, &c. They went by the railway van, he believed thirty-six packages. Before that he remembered some things having been sent to Brighton, some cane-seated chairs out of the theatre, which Temple had bought. Nothing else, except a few ornaments. The Brighton house was furnished from Campden House; he did not know where it came from. There was a good deal of furniture stowed away there, not in use. "I was examined by Mr. Ford (the company's attorney) at the office, and was asked if I knew of two sofas covered with crimson gilt, and I said they were there, and I swear they were the day before the fire. I was also asked about other things. There were four suits of armour at the time of the fire. They asked me about the curtains—there were some in the drawing-room and dining-room, and tapestry in the gallery (or ball-room) which I believe was to be arranged as curtains; they were to be mended; and were put up for the purpose; Mrs. Temple came in and asked why they were so, and Mr. Wolley said it was to mend them. In December I came up with Mr. Wolley to see Mr. Philips and Temple, and I took him to the stables to see them. The house had not then been cleaned, but the varnishing had been begun before we left for Brighton. When we came up in March there was a difference in dirt and dust. The varnish done was all covered over with dust, and it had to be done over again to make it look well, and then it was covered up. The Temples had a good many relatives and visitors there, and sometimes showed the house to them, at which Mr. Wolley was angry. The walls were covered with paper got from the nearest paperhanger's, Colston's, Allason-terrace. It was not got all at once. I fetched it as we wanted it. It was the cheapest I could get, and Mr. Colston asked what it was for, and was told. The pictures were covered with paper, put up in

long slips, as purchased, fastened with pins. Other pictures were taken from the corridor, and put upon the sideboard in the dining-room that they might be more easily covered up while Temple was papering the corridor. When we came back in March the varnishing was not all done, and Mr. Wolley went on with it. Temple did some while we were away, and Mr. Wolley had done some before we went away. I did some of it. I varnished the sideboard—a beautiful sideboard in the dining-room. I covered up the hall all round with a large cloth which had been down in the gallery, and Temple helped to take it up. We put curtains up at the windows and nailed them all round, to cover the carvings, which had all been varnished by Temple, but they were looped up on one side. Mr. Smythies called one day and went into the gallery and through into the garden where Mr. Wolley was working. He worked there very frequently. There was tapestry up at the ball-room windows. All the candles they had came from Oxford-street, but I do not know the shop, as Mr. Wolley ordered them. They were put into the pantry, and there was a mistake and another box was brought, but Mr. Wolley said they might as well be kept. They were some of them taken down to Brighton and used there. The other box was put into the cupboard. I remember the books being put out on the table to air, and to beat them, as they were so dusty. On the day before the fire Mr. Wolley worked in the garden and amused himself in the house; and Mrs. Temple brought him a cup of tea in the library. I went up to town with him, and we dined at a *restaurant*, and came home. We got home about half-past ten, and I bought some new-laid eggs close to the house. We came home by Brompton, and Mr. Wolley bought a pair of goloshes. When we came in we went into the pantry, and I lighted a candle and took Mr. Wolley into the library, and he said, ‘If my room is ready I’ll go to bed;’ and I went to see and told him it was not, as the fire was not lighted, and I lighted it and told him to stay in the library until it was burnt up. I went into the green-room and found Mr. and Mrs. Temple frying sausages. That was under Mr. Wolley’s usual bed-room and under mine, but not under the one he slept in at that time. I got Mr. Wolley’s room ready and sat down by the fire to watch it burning up, and Mr. Wolley came up and said, ‘Is it ready?’ and I said, ‘It is.’ I said, ‘Is the gas put out?’ He said, ‘No,’ and I said, ‘I’ll go and put it out.’ He said, ‘I’ll go with you,’ and we went. We fastened up the offices. While I did so he sat on the stairs. I don’t know which of us put out the gas. There were two or three burners. After I saw the Temples in the green-room we met Temple on the stairs, and Mr. Wolley said, ‘Are you going to bed?’ and he said, ‘Yes.’ We did not say we were going to sit up late that night; and we were not going to do so. We were going to bed, and we did so. I undressed my master and left him in bed. We were neither of us out of the house after eleven. I went to bed myself. The next thing I heard that awoke me was Mr. Wolley calling out ‘Temple! Crozier!’ and thumping at my door. I thought that he had one of his nervous fits, in which he sometimes came to my room at night. I opened the door and found smoke, which nearly suffocated me. He said, ‘For God’s sake, Crozier, make haste to the back staircase!’ We went down and got the door opened somehow. It was not open; we fastened it overnight. We got through it into the kitchen, and then we got the other door open, and then another into the garden. I and Mr. Wolley screamed with all our might, ‘Fire! Murder! Thieves!’ He called out ‘Temple.’ I could not say how long it was before Mrs. Temple appeared at the window. We were both in our shirts. I saw Mr. Freer and the policeman; to the best of my belief it was first Mr. Freer; I



cannot recollect seeing Mrs. Temple. She threw herself on the ground, I believe, while I went for a ladder. When I came back I saw Mr. Wolley picking her up. I think Mr. Freer came while I was gone. I heard a knocking at the front door, and went round and saw a policeman, and told him it was no use, and that they wanted a fire-engine, and he said, 'I don't know where to go, I am a stranger here;' and I said it was at the church; pray make haste or a boy will be burnt. I saw several policemen afterwards, but not for a long time. The articles in the claim were read over to me, and what I recollected I mentioned. So far as I know, there is nothing down in it which was not there. But since it was made up I have recollected a great many—hundreds—not in that list."

Mr. Merewether.—Now, did you set fire to the house?

Crozier.—No, certainly not.

Mr. Merewether.—Well, did you assist in setting it on fire?

Witness.—No. I should be sorry to do any thing of the sort, for the sake of my character.

Cross-examined.—Old curtains were put up to one of the hall windows; not nailed all round, but at the top and one of the sides. That was before the fire. I can't say how long; more than a week; it might be a fortnight. It was before the tapestry. The candles came in not in March, but in the time before March, for I took some to Brighton. We did not go to Brighton in March.

Mr. Lush.—I know you did not; that is the reason why I ask whether they did not come in March?

Witness.—They could not, because I took them to Brighton.

Mr. Lush.—Do you say that if they came in March you could not? Will you swear they did not come in March?

Witness hesitated a little, and said he believed they did not, but would not swear it positively.

The cross-examination was continued very stringently as to the incidents of the night in question, as to which the only new point elicited was that he said he saw a light in the green-room as he went up to bed, after parting from the Temples as they went up to bed. He was pressed a good deal as to this—why he had not opened the door, and he said he thought some one might be sleeping there; and he was asked why he thought this, and said that sometimes the Temples had friends there. He was asked whether he had mentioned this to the attorneys of the company when examined, and admitted that he had not done so, because he said he was not asked.

Miss Coape was then called, and examined by Mr. Serjeant Ballantine.—She stated she had been an inmate of Mr. Wolley's house before and since his marriage, and had an interest in his furniture to the extent of 13,000*l.*, and had lent him thousands more. "I was well acquainted," she said, "with the house and furniture, and when we went down to Brighton in November, 1861, the house was in the usual state. In 1859, I had conversations with him about insuring. Subsequently there was a negotiation about letting the house, and I suggested to him adding to his insurances. He was reading about some fires, and in consequence of that I made the suggestion. I knew the premises were insured for 4000*l.* I heard that something was said about the cost of reinstatement, and as the result the insurances were increased. The value of the furniture was considered between Mr. Wolley and myself, and I should have insured it for 10,000*l.* I consider it was under-insured. I know what immense sums had been expended upon the house—I should say 30,000*l.* He was in the habit of buying pictures, and was

very fond of the pursuit. Before the catalogue was sent in I went through it, and in my judgment it was a fair account of the articles on the premises as far as I could recollect. I have since recollected other articles not in that list. While we were at Brighton I remember writing to Mr. Wolley about candles. Candles require to be stored, I believe. I know of some things being taken to Brighton, not furniture, but such things as a family would require for use. The house at Brighton was furnished from that at Tunbridge. I was there when Mr. Wolley and my sister were there."

Mr. Serjeant Ballantine.—You were there when your sister died?—Witness.—I was.

Mr. Serjeant Ballantine.—Mr. Wolley, I believe, was away at the time, at Windsor?—Witness.—He was.

The witness went on to state that Mr. Wolley's eyes were very weak.

Cross-examined by Mr. Denman.—The late Mrs. Wolley was my eldest sister. We had equal fortunes—about 35,000*l*. I have advanced to him some thousands beyond the 13,000*l*. I have upon security. The residue is what I have to live on. It is sufficient; and it is expended on our housekeeping where we live.

By the learned Judge.—You do not know of any means possessed by Mr. Wolley except what was provided from his marriage with your sister and from your generosity?

Witness.—I do not know of any.

Captain Coape, the brother of the late Mrs. Wolley and of the last witness, was then called.—He said he had made Campden House his town residence for four years before the fire. The fittings were expensive and valuable. The roofs were handsome and the carvings rich. Some rooms were covered with velvet. The furniture throughout the house was valuable and antique, and people came to see the house. Mr. Wolley had devoted years to enrich and adorn it. The witness was aware of the advances made by his sister to Mr. Wolley; he was aware she used to pay her income into his hands. Since the Brighton house was furnished he had been to Campden House, and there was no removal of furniture that he could observe. He had been examined by Messrs. Ford and Randall, the attorneys for the companies. He remembered a conversation as to the increase of the insurances. He also recollected the varnishing just before they went to Brighton. His sister said that Mr. Wolley and Crozier were varnishing the panels, and the witness himself took a little part in it. That was in the autumn of 1861.

Cross-examined.—That was the first he heard about it. The Brighton furniture came from London; he did not know more particularly where it came from. He was not at Campden House after February, 1862.

Re-examined.—He said the house was well furnished when he saw it last. There was no difference that he saw.

Miss Coape being recalled, stated that she had suggested the varnishing, and that it was a great improvement; and she was aware it was going on and had helped in it herself. She entered heartily (she said) into all her brother-in-law's pursuits, especially as to the decoration of the house and fittings—the panelling, &c.

Mr. James Coape was called to confirm the evidence of the plaintiff as to the condition of the house and furniture. He spoke in particular as to the Venetian glass at the end of the "long room," for which he said he would give 700*l*. It was the handsomest thing in the house.

Mr. F. N. Clifton, architect and surveyor, deposed that it would cost 12,783*l*. to replace the burnt building.

Mr. M. R. Hawkins, architect, said he concurred in the opinion of the last

witness, but there would be a further expense of 500*l.* or 600*l.* for the architect's commission.

Mr. Hardwick, architect, gave similar evidence.

Ellen Perry, housekeeper to Mr. Wolley for fourteen years, said she remembered when the candles were purchased. She had previously asked for them. It was the custom when the family went out of town to cover the furniture and fittings with brown paper. The furniture at Brighton was taken from Tunbridge Castle. Some furniture was taken from Campden House. When Mr. Wolley came to London, in March, just before the fire, witness heard something about his going to hire a new gardener.

Mr. G. Springer said he was at Notting Hill when he saw the appearance of a fire, and he gave an alarm to the firemen as he went along. He discovered that the fire was at Campden House. He knocked at the gate, but got no answer. There was no fireman or policeman there then. He heard Mr. Wolley calling out "Thieves" and "Murder," three-quarters of an hour before the engines arrived. Witness assisted to remove some pictures to Mr. Egg's house adjoining. He saw Mrs. Temple jump from a window, but he thought it was a bundle of clothes. He first saw the fire at half-past three o'clock.

Mrs. Charlotte Hart, housekeeper to Mr. Egg, said she was awake on the morning of the fire by a great noise, and she roused her fellow-servant. Temple came running along the leads, crying out, "For God's sake, let me in, my wife and child are burnt to death." He was dreadfully burnt, and his flesh seemed to peel off his hands. The house was in a complete blaze before the engines came up. Witness alarmed a man named Ellis, living close by, but she did not see him at her master's house till twenty minutes afterwards.

Several witnesses deposed to the value of the fittings.

Mr. Lush, defendant's counsel, here said that he would admit that Mr. Wolley had laid out a great deal of money on the building, and also that the fittings might have cost him 7000*l.*, but they would not bring that sum if sold. He disputed the value of the furniture, which was insured for 5000*l.*

Robert Finch, formerly in the service of the Hon. Mr. Curzon, and who occasionally acted as waiter at Campden House, when there was a party, said he had been in many noblemen's houses, and he never saw one more fully or more elegantly furnished than Mr. Wolley's. He had seen as many as four hundred persons at some of Mr. Wolley's parties.

Mr. J. Cotton, furniture dealer, deposed that he estimated the value of the furniture at 8000*l.* or 9000*l.*

Mr. J. Tompsett, of Torquay, corroborated.

Mr. H. B. Lennard said the articles of furniture were such as were only seen in palaces. It had cost witness in all 28,000*l.* to fit up a much smaller house in Hyde-park-gardens in a similar style.

Mr. G. F. Duncombe, of the art and science department of Kensington Museum, also said that the house was beautifully furnished.

Mr. Greaves, of New Oxford-street, tallow chandler, said that, in January last, sixty pounds of candles were purchased at his shop and sent to Mr. Wolley's house.

The witness Crozier, being recalled, said that Mr. Wolley sat on the stairs while witness was extinguishing the gas and fastening up the offices. There was no accommodation for any one to sleep in the green-room, except on the sofa.

This concluded the plaintiff's case.

Mr. Lush then addressed the jury on the part of the company. He said he

should not have been surprised, from the plausible and able way in which the case for the plaintiff had been laid before them, and the imperfect account they had yet had of the fire and its circumstances, if they had been disposed to form an opinion in his favour. But he was sure they would feel that the company would not have resisted the claim on the ground of arson unless they had strong evidence to support the defence; for, if there were no higher considerations, it would be ruinous to set up such a defence unless they could sustain it. After great inquiry the officers had unanimously come to the conclusion that the claim should be resisted on that ground; and he was sure that the jury would find they were right in submitting the case to their decision. If the company had set up the defence without due consideration, it would justly have been made a subject of complaint. There never was a case in which the defence was set up under greater difficulties; for Mr. Wolley, by his boundless and lavish hospitality, had raised a host of friends around him. As to not giving Mr. Wolley in custody on a criminal charge, if the company had done so there would have been a great outcry about it. It would have been said that the mouths of the only persons who could give evidence to refute the charge (for Crozier must have been included in it) were closed. As to a great deal of the evidence in the case, it was really beside the question. It was part of the case for the defence that Mr. Wolley had exhausted a fortune, and more than a fortune, in the decoration and adornment of the mansion, and was nearly at the end of his resources. He had, it appeared, no means whatever, except the fortune he had with his wife, which he had spent. And he had expended at least half the fortune of his sister-in-law; and the income derived from the remainder was all he had to live upon, and was far from adequate to keep up Campden House along with the Brighton house. Such was his own position. As regarded the condition of the house at the time of the fire, there never was a house in such a state of preparation for a fire as this was. Every window not curtained or blinded was closed by tapestry, as had never been done before. The time chosen was the fittest in the world—the quiet hours which preceded the dawn of Sunday. Mr. Wolley had chosen to give his own account of the matter to the world within a few days of the fire, and every statement in it would be proved to be false. He had dealt in that statement with a very favourite topic, the absence of the police. Yet the complaint was totally untrue, the police were there long before the witnesses for the plaintiff. Again, Mr. Wolley had not ventured to call any of the neighbours—some of whom would be called for the defence. The time had been fixed at half-past three, but it was within a few minutes of four o'clock when the alarm was given. The sergeant of police came along Sheffield-terrace (at the back of the house) every quarter of an hour, and soon after the policeman on the beat passed the sergeant he saw the smoke. This was about ten minutes or a quarter to four. Yet Mr. Wolley in his statement in the local paper said he screamed and cried for help long before the police came. But it would be proved that no alarm was heard before the police appeared. The policeman went round to the front gate and went in there, and seeing a fire went round to the back of the house, springing his rattle. There he saw Mr. Wolley standing in his shirt and quite silent. Not until he heard the rattle did he begin to cry out. Then the policeman (Rogers) went back again to send the first man he could see for the fire-engine. It happened that a milkman (Woolhouse) going his round, found the gate open—the front gate—and went in. He saw a light at one of the windows, and went round the back and saw Mr. Wolley and Crozier. Mr. Wolley had his arms folded and was making no attempt to rouse the Temples.



The man found at the kitchen door a heap of clothes, a pair of boots, &c. While he was looking at them the flames broke through the kitchen—near where he stood—and he went hastily away, leaving the clothes, which were consumed in the fire. Somehow the other side heard of the finding of the clothes; they sent to see them, but were, of course, refused, as it would not be reasonable to let a party who was to be charged with arson and perjury know beforehand all the evidence against him. No clothes were there when Mrs. Temple shut the door, and Crozier had fastened it at night. Who put the clothes there? Mr. Wolley was in his day shirt, and had not been in bed at all that night. And the clothes were provided for his use, in the event of the fire. Another fact which would be proved was that the fire in the lower rooms at this time did not reach up to the ceilings, so that the fire from the lower rooms could not have caused the fire in the upper rooms, which, beyond all doubt, was observed at the same time; and hence the fire, it was clear, must have been in several rooms. It was after this that poor Mrs. Temple jumped out. It was half an hour before the engines came, no doubt, and when they came the policeman knocked at the door. By that time all hope of saving the house was gone. Now as to the neighbours. A General Cotton, who lived at No. 8, Gloucester-terrace, was awoke by his wife about four o'clock. She said there was a fire. He got up, looked out of the window, and saw sparks coming up behind, and in a few minutes saw the whole house blaze up in every part, and burst out simultaneously on every side. Yet the wind was south-east, in a direction which would drive the flames at the back away from the house. Another witness observed the same thing, that all at once the fire seemed to break out in every part. Another witness, a Captain Tudor, observed the same thing about the same time. These persons were awoke by the rattle. No neighbour heard any cry from Mr. Wolley before the police came. A lady next door to General Cotton's was sitting up all night with her mother, and in the quiet of the night would have heard any outcry. The first thing she heard was the rattle of the policeman. And she and other neighbours observed the same striking fact, that the fire seemed to break out simultaneously in every part. Such a large building would naturally burn for hours; yet, half an hour after smoke was first observed the entire building was consumed. That was impossible if the fire only broke out in one part. How could it be accounted for? There were, according to the plaintiff's evidence, only two fires in the house that night, and after eleven no gas was burning. According to their own account, Wolley and Crozier were the last persons downstairs. The first theory was that the fire arose in the library, but there was no fire there, it was said. Then from the beam in the green-room, but the woodwork there was not burnt. Then the fire could not have originated there. Where and how did it originate? Even if it had originated in the green-room alone, the rapid and simultaneous appearance of the fire in every part could not be accounted for. The state of the house at the time, prepared as it had been, would conduce to the rapid result. Such a state of preparation was never known before. All the windows were closed up. Tapestry was provided for the purpose, where there were no curtains or blinds. Pretexts, of course, were suggested; they must be, but were they satisfactory? If Mr. Wolley did not do it, who did? As to Temple, he was already Mr. Wolley's creditor, and had every prospect of employment under him, and his wife and child were in the house. Their impression was undoubtedly that Mr. Wolley made no attempt to alarm them. They met Mr. Wolley and Crozier going downstairs that night, and the latter said they meant to sit up late. That was said to account for Mr. Wolley's going down-

stairs with him. Why should he have gone down with the valet to shut up, and "sat on the stairs?" The truth as to Temple's escape was that he was leading the way for the escape of his wife and child, and the staircase fell between them. He got out of the window on to the leads, and being separated from his wife by the fire, got on to the leads on the adjoining house, and so escaped. His wife, after waiting a little time, and seeing no help near, jumped from the window. As to any alarm to her, it was utterly untrue. Within a short time the house was entirely consumed, which would account for it. Crozier had come down to Mrs. Temple for more firewood, though it was not wanted for the bed-room fire. A tradesman, between two and three in the morning, coming home, saw Wolley and Crozier passing close to the house, arm-in-arm. There could be no mistake; he knew Mr. Wolley well. They were going along towards a back entrance to the grounds. He was in Church-lane, and saw them turn down Sheffield-terrace, at the back of the house. That fact was significant only as coupled with the denial by Wolley and Crozier that they were not out after eleven, and their statement that they went to bed at that hour. The case for the defence would be as good without that fact, for, of course, Wolley and Crozier could have fired the house without going out. But the fact was important as showing how false their evidence was. So of the account which Mr. Wolley had given to the editor of the "West London Observer." It was false in every part. The learned counsel read it and commented upon it at length, especially in comparison with the evidence of Wolley and Crozier. He pointed out what he described as a discrepancy in the evidence of Mr. Wolley as to his having given the alarm to Crozier before he went to the Temples. Mr. Wolley, he said, had shown the greatest craft in trying thus early to possess the public of his idea of the case, and to infuse a prejudice against the Temples and the police, who he knew would be witnesses against him. He then particularly commented on Wolley's account of Mrs. Temple's escape. According to this, he observed, the police did not come until half an hour after her escape. That was utterly untrue. Why, according to Mr. Freer's evidence, he was there with a policeman just when poor Mrs. Temple jumped out. It was, therefore, clearly false. Within half an hour the whole roof was in. Yet the account stated that "the fire at that time had not got to that part of the house where the Temples were." The fact was that the husband had been divided from his wife by the fall of the burning staircase. And yet the account charged Temple with deserting his wife and child. All this was utterly false. As false was it, even on their own evidence, that the fire had reached his room. He and Crozier now were obliged to confess that it had not. What reliance could be placed upon a man who, so soon after the fire, set forth such false statements? Another circumstance was that from the room where he chose to sleep at that time he could get out easily on the leads. Why did he go in another direction? Then Mr. Wolley went on, in his published account, to throw reflections on the police, as well as the Temples. Reading the rest of the published account, the learned counsel said it reflected great credit on Mr. Wolley's skill and craft. Every material statement in it could be proved to be untrue; much of it had already been proved to be so. For example, that the fire was in his room or Crozier's. The fire was every where else but there. It was every where where the paper and the cloth had been hung up, but it was nowhere else. Temple was a tradesman who did work for Wolley, and discounted bills for him, and his ledger was in the house that night. It was one which could hardly be burnt, but no trace of it had been found. Mr. Wolley thought he had need to conciliate him, as the impression of Temple, from what he

observed at the time, was that he never meant to alarm him. Accordingly, soon after the fire Wolley wrote to Mrs. Temple a letter in which he said, after alluding to Temple's sufferings, "Don't think I was unmindful of your danger. On the contrary, I tried to reach your room, calling loudly. At the staircase was a mass of flames, and I found that the only way of saving you was to endeavour to get down the back staircase—which was done with the greatest difficulty, in consequence of the smoke. To alarm you was my great object; and I came as rapidly as possible under the great difficulty I had to encounter. Had I not thought of you I could easily have escaped by my window. Thank God, my presence of mind never left me for one moment; and had poor Temple been as collected, your escape would have been less difficult. By going out at the other window you might have got on to the large portico. I went to you and called. Pray banish from your minds the thought of my forsaking you in your time of danger." The material statements in that letter would be proved to be untrue. He had himself said he had rushed about wildly, &c., yet here he wrote that he never lost his self-possession. It was false that he went to the side and called to her. His efforts to procure the co-operation of Temple failed, and when his claim was sent in Temple pointed out many things in it which were not in the house at the time. The result was that he was obliged to reduce his claim from 8700*l.* to 7500*l.* There were clear proofs that his claims were false and fraudulent. As to the goods, he had mortgaged them in 1856 to Mr. Robins, and again in 1859 to Miss Coape, and there were schedules in those cases, and Colonel Waugh had taken away a great many. Thus, it would be shown, there were far less goods in 1859 than in 1856, and yet in 1859 and 1860 he insured the whole. So of the pictures. In 1855 they were insured at a value of 1700*l.*, and then in 1859 he insured them at 5000*l.*; yet he would not venture to swear he bought any in the interval. As to the fittings, very likely they had cost all that was claimed. Mr. Wolley had foolishly and wickedly sunk there a great part of his wife's fortune and her sister's, and that was a great cause of his embarrassment. But the furniture was not worth any thing like the amount claimed. Two sofas sent to Colonel Waugh's had been replaced by two forms fitted up like the sofas, and they were in the house at the time of the fire. Such was his conduct in other cases. It was dangerous to speculate about motive, but no one else had any interest in the destruction of the premises. Mr. Wolley was a ruined man, and wanted money. That was the plain truth of the case. He had no means or income of his own. He was in a position in which he could not sustain himself, and he had not the moral courage to abandon it. Some men would commit suicide in such a position. There was nothing incredible in his commission of arson. He had acquired an extraordinary position in the fashionable world, and he shrank from losing it. Yet there was no alternative in that same extraordinary event. He had nothing of his own, and his sister-in-law would not support both houses—the one at Brighton and the one in question. He must either abandon it, or destroy it and gain an immense sum by its destruction. No one else had any interest in its destruction; it was obvious that he might have a motive for it. The evidence, however, would show that he did the act; and if so, the motive would be immaterial. The case for the defence would be supported by a great body of evidence, and it was quite consistent with that upon the other side, except that of Wolley and Crozier. They, however, were, of course, as accused themselves of the act, deeply interested witnesses, and no reliance could be placed upon their testimony as opposed to the other evidence in the case. That case, he repeated, would be sustained by a

body of evidence which would be abundantly sufficient to compel conviction, and the evidence of Wolley and Crozier would be contradicted in every material particular.

Mr. Temple was the first witness called.—He said he was now in partnership with a Mr. Foster, a builder. He went on to say,—“I first knew Mr. Wolley in 1847, and had worked for him more or less from that time until the fire at Campden House. I began at first as a carpenter. Mr. Wolley had employed me very largely, and I was pretty constantly there. Before the fire I occupied apartments there, taking care of the house, with my wife and family. I was on good terms with Mr. Wolley, and was, in fact, obliged to him for employing me; nor had I any quarrel with him before the fire. I remember 1855, when Colonel Waugh first was in occupation of the house, and was there at the time. Before November, 1861, I was at the house every day almost, and I came into the house the night the family went to Brighton, and up to March we were the only occupants of the house, except when Captain Coape came for a short time, before March. It was on the 2nd or 3rd of March Mr. Wolley and Crozier returned from Brighton, and they were there for three weeks before the fire. During that time they were engaged chiefly in varnishing and covering up the house. I never saw them doing that before, except that the furniture was covered. Mr. Wolley and Crozier were a good deal together in the house, and when Mr. Wolley went out Crozier went with him. They frequently had their meals together, and were often walking arm-in-arm together in the streets round the house. Mr. Wolley was very familiar with him. I very frequently saw them. Mr. Wolley had a very defective sight at times. In the week before the fire the calico, &c., was hung round the walls, nailed at top and falling down, but not in the gallery, as there was nothing to cover up there. The hanging of the walls began soon after the return from Brighton.”

By the learned Judge.—There was nothing hung where there was nothing which might not reasonably be covered—carvings, &c.

The witness went on to state that he understood from Mr. Wolley that it was to keep the dust off. There were, he said, some windows without curtains or blinds—two in the hall, and two in the dining-room. The Friday before the fire there was nothing hanging to these windows. On the day before the fire druggut was hung over the hall windows, and over the dining-room windows tapestry. He did not see the tapestry before, and it must have been put up on the Saturday. The tapestry was fastened at the top, and let down, but looped up by day. When let down, the effect would be to exclude all light whatever. There were no other windows, that he knew of, which had not either blinds or curtains. He saw Mr. Wolley at work upon the covering, but did not see him at the hanging up. He saw the books lying on the table or on the floor, and spread open. He never saw the books placed in that way before. He saw the balustrade, &c., covered with paper. It was hanging-paper, twelve yards in a piece.

The learned Judge.—Is that paper which will burn well?

Witness.—Oh, yes; I think so.

One of the jury observed that he had tried it that very morning, and found that it would not.

The learned Judge said that this had been his impression.

The witness said it would depend upon the kind and quality. This was very thin, and had not much colour on it, and would, he thought, burn very readily. He only saw about six pieces used, and could not say that forty were not used,



as he only saw some parts of the house. He went on to say,—“On the Saturday night I went to bed at a quarter past eleven, and I had been in the green-room last. An hour previously I had been in the housekeeper’s room, where I had books, in one of which I was writing. It was a ledger of large size, and I put it in a cupboard in the housekeeper’s room. It was thick, and bound with leather, but had not a clasp. There were several other books in the cupboard—builders’ price-books, &c., not so large as the ledger. When I went back to the green-room I was writing up to half an hour before I went to bed. I had supper there—some sausages; but not cooked in the house. That was about a quarter to eleven. My wife came in about that time, and my son was there; no one else. Crozier came in while we were at supper. No one else was there that evening. I and my wife went up to bed together. The fire was as nearly out as possible; in fact, my wife scolded me for letting it go out. We went up the best staircase, and as we went up we met Mr. Wolley and Crozier. They appeared to be coming from the direction of the bed-rooms. They were on the staircase, coming down from the bed-room. I said ‘Good night’ to Mr. Wolley. Crozier, not on the staircase, but in the green-room, had said he wanted wood, and my wife told him where he could find it, and he went for it. My wife made a remark to him. She asked what he was going to do, and he said Mr. Wolley was going to sit up to work, adding, ‘I think he is taking leave of his senses.’ Nothing more passed then. When we met him on the stairs I said ‘Good night,’ and went on to our bed-room. When we went to bed that night, as far as I could see, all was right. We went to bed; it was the room next to the theatre (in an upper floor). We were woke up by the noise of the fire at the roof of the theatre—a crackling, blazing noise. We jumped up in bed together, and I said, ‘Oh, the house is on fire! Get up and follow me.’ I went out, got downstairs to a landing, when my wife said, ‘O George, we cannot come,’ and at that moment I was knocked down by smoke. I groped on my hands and knees to the leads, and my hands got severely burnt. When knocked down I turned round and saw some one fall, as I thought, into the flames, and I saw no more of my wife until I saw her in the house of Mrs. Stevens. Having got on the leads I went round to the next house. As I went I noticed the inside of Mr. Wolley’s room, and there was no appearance of fire in it.”

One of the jury.—Did you call to him as you went by?—No; I was in a state of great suffering. The flesh was dropping off my hands, and I was very nearly bewildered.

The witness was then examined as to the catalogue and claim of the plaintiff. He had first been consulted by the Sun solicitor as to the claim, and went through a paper to see if it was correct. He was asked as to the various articles in the catalogue. First as to a sofa put down as in the boudoir, he said it was not there before the fire. There was, he said, a similar article in the ball-room, and there it was put down as well as in the boudoir. It was put down there as a couch chair. He spoke to several other articles in the claim which he said were not in the house at the time of the fire, and to others which he said were of small value.

The witness was then asked as to several articles entered according to his evidence at an exaggerated value. There was a table he made, he said, which cost a few shillings, which was entered at 4*l*. There were no wainscot wardrobes in the house. [As to this, the entry of Mr. Wolley was, “Refer to Temple,” and the item was put at 10*l*.] There was one item entered 15*l*, for

which, he said, Mr. Wolley told him he gave 5*l*. The witness was then taken back to the scene of the fire, and said from first to last he heard no cries, and the first alarm he heard was the policeman's rattle.

He was then cross-examined by Mr. Bovill, first as to his going through the list. He said Mr. Randall called upon him six weeks after the fire. "A gentleman," he said, "called upon me a few days after the fire, but I could not see him. I understood it was Mr. Freeman. Then some weeks afterwards I saw Mr. Randall, who went through the list, and asked me if I remembered the articles, and he saw me again once or twice, but left me no copy. Afterwards Mr. Teesdale left me a copy for a few days—not more than four, and I went carefully through it. I was not aware that he had gone through it with other persons who knew the house and its contents. I did not tell Mr. Teesdale, I think, that Mr. Randall had been through the list with me." Pressed as to whether he did not know that he had not done so, he said he had not. Asked as to why he had not, he said he did not know. He said he told Mr. Randall he had a list from Mr. Teesdale. Being asked why, he hesitated some time and then said he had no reason. At last, being much pressed, he said Mr. Randall had asked him to give him any information about the matter.

The learned Judge suggested that perhaps it might be because the witness supposed that, having been spoken to by one side, he should not give information to the other.

The witness said it was so. That was his reason.

Mr. Bovill.—Then why did you hesitate so long in answering?

The learned Judge.—Or perhaps it might be because he had an opinion in favour of one side and not of the other.

The witness was then pressed a good deal as to the sofa, whether he would venture to swear that it was not in the house at the time of the fire, and he said it had not been there since Colonel Waugh's time. He was pressed whether he had not seen it there within two years before the fire. He said he had not. Being shown one of Messrs. Barker's drawings where a sofa was represented, he said it might have been placed there for the purpose of being represented at that time. He went on to state, in answer to further questions, that he had gone through the plaintiff's list with the company's copy. He was then challenged to name the contents of the boudoir, and he named a piano, an old cabinet, six chairs—two arm-chairs—a table in the centre of the room, a rose-wood "canterbury" for music, a side table, the carpet, the curtains, and a few small ornaments.

Being further cross-examined, the witness stated that when Mr. Wolley sent in his final claim in 1862 the solicitor to the fire office showed it to witness. At the end of that claim there was a written reference by Mr. Wolley to the witness for further information as to the value of the articles. Witness had written some observations in the margin respecting the different items.

Baron Bramwell said the observations ought to be produced, to see whether they corresponded with the evidence.

Mr. Bovill called for their production.

Mr. Lush said all the papers in the possession of the fire office had been handed over to the plaintiff's solicitor.

Witness resumed. He said:—The observations so made were similar in effect to his present testimony, except that he was now more positive that some articles claimed were not in Campden House at the time of the fire. When first questioned he did not like to give offensive evidence, but if he had been called

again he would have said what he had said now. He had stated that the candles were bought only two or three weeks before the fire. He did not tell Mr. Clinch, of Kensington, that he was frying sausages in the green-room on the night of the fire. He might have said that he believed that the fire broke out in the theatre. He had sausages for supper, but they were cooked at Mrs. Temple's sister's. They were neither hot nor cold—a little each way. There was a fire in the room, but it was very low.

Baron Bramwell.—Then you ate your sausages nearly cold, although there was a fire in the room?

Witness.—They were not cold. He always had a decided opinion as to the origin of the fire, but he never mentioned it till now. After the fire he thought he should die, and he asked Mr. Wolley to take care of his (witness's) wife and children, and to pay them what he owed witness. A similar fire took place on a former occasion, and it took half an hour to put it out. One of the beams had been smouldering for an hour before it was discovered. His wife was very angry when she read the account in the newspaper stating that witness showed great want of presence of mind in deserting her and his child at the fire when the means of escape were at hand. The report of what occurred on the occasion was incorrect in many particulars. Witness passed Mr. Wolley's window as he was going across the leads, but it never occurred to him to knock at it.

Mrs. Temple was the next witness called.—She stated that in November, 1860, she and her husband went to take charge of the place, and continued there until the fire. She said during the three weeks before the fire Mr. Wolley and Crozier were chiefly engaged in varnishing and covering up the rooms with a very thin paper. That is, four rooms, reception-room, gallery, &c. "Every thing," she said, "was covered, but some posts were not wholly covered. The stuff was hung from the top, and fell down. I know, she said, the rooms and windows well. There were windows which had no blinds or curtains before that time. There were none, I think, to the hall, and I never saw the shutters closed. There were also the gallery windows which had no curtains nor blinds which were ever drawn down. I cannot swear as to shutters, but they were not closed. Before the fire the gallery windows were covered with tapestry, and the hall with something else, a sort of old baize, so as to admit of little light if looped up at night, and supposing it was allowed to drop, very little light would come in. I remember saying to Mr. Wolley while he was putting up the tapestry, 'What are you doing?' He said, 'I am putting it up to repair, and want you to help me.' He knew very well that I never repaired tapestry or any thing else, and I said that I could not do it. He said nothing, but he seemed confused. On the night of the fire I had been to my sister's and bought three sausages already cooked. I don't know if my husband ate them. I wished to warm them, but could not as there was a poor fire, and I scolded my husband for letting it go down so low. I ate some of them cold. We went to bed about a quarter past eleven, and we met Mr. Wolley and Crozier on the stairs. I said, 'How strange that we should all meet,' and we bade each other good night. I had been into Mr. Wolley's bed-room (the fire in which I had lighted at seven), and it was burning and appeared to have been burning for some time. Before that, while I was trying to warm the sausages, Crozier came in. There was a poor fire, and I had a frying-pan. He asked for some wood, and I said, 'Mr. Wolley's fire is lighted; what do you want with wood?' but I told him where it was. I asked him what he wanted with it. He said he did not know, but his master was

going to work. 'I think he is going crazy, he is a perfect cure.' Those were Crozier's words. He said his master was going to work all night."

The learned Judge.—All night, or late?

Witness.—All night. That I positively swear.

The learned Judge.—Did Mr. Wolley ever work in his bed-room?

Witness.—No; but he used to cook meat with Crozier in his bed-room. Crozier told me so. The witness went on to say that she left no light in the green-room, but as she went to bed saw a light in the dining-room (which is on the same floor and side as the library). "I did not," she said, "go into the library, but on going out of the green-room to the main staircase I saw the dining-room door slightly open, and saw a light there."

The learned Judge.—Can you say that it was a light in the room, or the reflection of light from the library?

Witness.—It was the light in the room. I saw the jet of gas burning. She went on to say that before she went to bed she was in the kitchen and fastened the door, and there were no clothes there, and though there might be a pair of old boots there, they were not, she was sure, on the floor, but put by. I was awake, she continued, by the flames breaking through the window, and I and my husband got up together. He said, "The house is on fire; follow me, Maria." I went to my son's bed-room and snatched him out, and went after my husband, but I saw I could not follow him, for there were flames between us, and the boards fell. My boy wanted to follow his father, but I kept him from doing so. She went on to say that she read the next Saturday the article in the "West London Observer," and the passage being read to her as to the incidents of her escape she stated they were false. Mr. Wolley, she said, did not speak to me at first. Crozier did not speak to me at all. I did not hear Mr. Wolley scream at all. It was, I think, ten minutes before he spoke, though I can hardly say, at such a time. I was standing outside the window on a little balcony when I jumped down. I could not stand any longer because of the flames under the window in the other room. My hair was scorched. I was quite sensible when I touched the ground. Mr. Wolley took me in his arms and laid me on the wet grass, and then he left me. I think it was a quarter of an hour before I saw a policeman. Then I saw two or three. I called out loudly to them, and they came and took me away. It was not until after I had jumped that I heard Mr. Wolley say "Fire, fire! Will nobody come?" Crozier came with a small ladder after he went. Mr. Wolley did not, as the account in the "West London Observer" states, come and advise me to get out of the window on the roof at the east end.

Mr. Wolley's letter to the witness, Mrs. Temple, was then read. It ran thus:—

"Temple's sufferings must be great. Would to Heaven they could be transferred to me! I would willingly bear them. Do not think me unmindful of your danger at that awful hour. On the contrary, I tried to reach your room, calling loudly all the time, but the staircase was a mass of flames; and I found that the only way of saving you was to endeavour to go down the back stairs (in which I had the greatest difficulty, owing to the smoke) and alarm you from the garden. This was done with great difficulty. Had I not thought of you I could have escaped from my own window. Thank God, my presence of mind never left me. Had poor Temple preserved his, your escape would have been far less difficult, and by going out at the other window you might have got without difficulty on to the large portico, where you would have been safe until rescued. Indeed, I went to the side and called loudly, fully expecting that you would



escape that way. Banish from your mind all idea of my having forsaken you," &c.

The witness stated that Mr. Wolley did not thus call to her, or suggest her escape in the way thus described, nor was she aware that she could so escape, and did not think she could.

On cross-examination she was asked how many windows in the gallery were covered with tapestry, and she said three.

You said Mr. Wolley looked confused when you asked him why he was hanging the tapestry up?—So he seemed to me to be.

What! at your saying you could not mend the tapestry?—No, at my asking him about it.

She was then pressed as to the matter of the sausages, and said the fire was low, and though she put the frying-pan on she could not use it, and was cross with Mr. Temple. She swore the sausages were ready cooked, but as they were not warm they were not all eaten. She was then asked as to the expression "perfect cure," and she said she often heard it from Crozier, and it was a joke.

I am afraid it was you who led the company into the mistake about the candles. When did they come?—I believe it was some short time before the fire; it might be three, or it might be six weeks. I have always said I was not sure.

Now, as to the fire. When you awoke were the flames making a noise?—They were.

And you were very much alarmed?—Of course I was, but I was quite sensible of all that passed. I did not observe Mr. Freer. I did not, that I recollect, tell Miss Robinson that Mr. Wolley carried me about until I asked him to put me down. I certainly said when he first took me up, "Put me down;" but he left me there.

Re-examined.—I offered to help in putting away the candles, but Mr. Wolley said Crozier would do it. I did not make up the fire in my bed-room, and it was almost out when we went to bed.

Police-sergeant Taylor said he first noticed the fire at twenty minutes past four o'clock, and on going into Campden House he found policemen there. The whole house was then in flames.

The witness Temple, recalled, said he lost property value 70*l.* by the fire. He was insured in the Sun, and they paid half his loss. They paid him 60*l.* That was what he meant by saying that they paid half his loss. They also paid him 10*l.* for assisting in getting up the model. He had assisted the company to make the plans.

Policeman Rogers said there was no sign of fire at Campden House at three. There was a gale of wind. When he first saw smoke coming from the house it was at the back. He sprung his rattle, entered the front gate, which was open, and broke down some fencing, and then went towards the back of the house, and again sprung his rattle, and the moment he did so he heard a man's voice call out "Fire!" He heard no one call out before he sprung his rattle. He then went towards the east side of the house, and he saw a man standing on the lawn with nothing but a shirt on, and he was hallooing out "Fire!" He was standing with his arms folded, and called out "Fire" about three times. At this time witness did not observe any appearance of fire in the front of the house, but in about ten minutes the whole top of the house was in a flame.

George Woolhouse, milkman, in the employ of Mr. Ridgway, of Campden

Dairy, said, when he saw the fire he went, and saw two men—one was Mr. Wolley—standing in their shirts. He went up into the house, and kicked against a heap of clothes. He picked up a pair of drawers, and a pair of boots, and threw them down, as the smoke compelled him to leave the house. In twenty minutes he returned. The fire-escape had then arrived, and he assisted to rescue young Temple. The fire had then spread all over the house.

Cross-examined.—I could find no policeman when I went to look for one. It was half an hour before the fire-escape arrived. I do not know how the fire office became aware of what evidence I could give. Some one told me to go to Mr. Temple, and I told Mr. Temple all I knew. Some gentlemen came from Mr. Wolley, but I said I should not say any thing unless I was obliged. I told Mr. Randall all I knew. When I picked up the boots and drawers I saw two naked men standing in the rain, but I did not offer the clothes to either of them. I threw them away about twenty yards from the house.

Mr. Bovill.—Are we to understand that on a wet morning in March Mr. Wolley and Crozier were walking about with nothing but their shirts on?—That is what I saw. My master did not ask me to tell Mr. Wolley all I knew, but he said what little I knew would not hurt any one.

George Nicholson, policeman, said that by six o'clock the house was burnt down to the bare walls.

Miss Dell, of 7, Gloucester-terrace, said the fire seemed to come out of all the windows at once, and the house burnt very quickly, as she should expect an old house would.

Miss Tudor, of Gloucester-terrace, her father, Captain Tudor, and General Cotton deposed to the rapid spread of the fire.

Otley, policeman, said the flames did not spread through the ceiling, but as if every room in the house was on fire.

Superintendent Swanton, of the fire brigade, said he had examined the ruins, and saw nothing to lead to the conclusion that the house was one which would burn down rapidly. The timbers being of massive oak would not burn so rapidly as deal or pine.

Cross-examined.—Sir Watkin W. Wynn's mansion at Wynnstay, which was a building of the same description as Campden House, was entirely consumed by fire in a very short time.

Mr. Ellis, plumber, of Kensington, deposed that about twenty minutes to two o'clock on the morning of the fire he was in Sheffield-place, near Campden House, when he met Mr. Wolley and Mr. Crozier walking together towards home. The witness gave a confused account as to the precise spot where he represented that he met the plaintiff and Crozier, but he said he was positive they were the persons he saw. He said, however, that what he meant to convey was that they were ahead of him, and he did not see them until they turned round.

Cross-examined.—Witness had not had delirium tremens two or three times. He was not "slued" on the night of the fire. He did not say to Mr. Teesdale's clerk that he only saw the backs of the two people on the night of the fire, and that he did not know who they were. He said he had rather not state where he had been on the night of the fire.

Several police constables were then examined, who deposed to the same effect as their fellow-policemen.

Mr. Denman said the object was to repel the charge that the police did not attend immediately on the alarm being given.

Mr. Randall (defendant's solicitor) deposed that in 1856 Mr. Wolley executed

a bill of sale upon the whole of the furniture in Campden House, to Mr. Edmund Robins, to secure a loan of 1000*l*. A second bill of sale was executed to Miss Coape in 1859 to secure the sum of 8000*l*.; and he had examined the schedule of the furniture attached to the two bills of sale, and that executed in 1859 did not contain so many items as the one of 1856.

Mr. Gwynn, cabinet-maker, proved that in 1856, and while Colonel Waugh was occupying Campden House, he, by his orders, made sixty packing-cases for him, and he saw them filled with antique articles of furniture, paintings, and other things of that description. Mr. Wolley came in while the packing was going on, and he ordered it to be stopped, and said that Colonel Waugh had no right to remove the property. On the following day, however, he received a letter from him authorizing the property to be removed, and the whole of the cases were subsequently taken to Branksea to Colonel Waugh's residence. Among the property that was so removed were two crimson gilt sofas, and these same sofas he knew were afterwards sold under Colonel Waugh's bankruptcy.

Mr. Bovill then called the following witnesses in reply:—

Mr. Cross, a surveyor to the Sun Fire Office, proved that in 1855 and again in 1859 he made a survey of Campden House, and that the insurance ultimately effected upon it was a special insurance at a higher rate of premium than doubly hazardous.

Miss Coape and Mr. Duncombe were recalled, and they stated positively that the sofas removed by Colonel Waugh were not the same articles claimed for under the insurance, and that the latter were in the house when the fire occurred, and were destroyed.

Mr. G. C. James said that he was a solicitor, assisting Messrs. Maples, the solicitors for the plaintiff, in their business. On the 26th May, in consequence of something he heard, he went to the house of the witness Ellis, accompanied by Mr. Wolley. He told him he had heard that he had stated he saw Mr. Wolley and Mr. Crozier walking together on the morning of the fire between two and three o'clock. Ellis at first seemed disinclined to say any thing; but he ultimately said that he had seen them on that morning. Witness asked him where he saw them, and he replied in Sheffield-gardens. He put some other questions to him, and he said that he only saw their backs, and he seemed to be uncertain whether it really was Mr. Wolley or not.

Mr. Clift recalled.—He was acquainted with Ellis, and a few days after the fire he had some conversation with him about it. During that conversation he stated that when he came home on the night of the fire he was rather "slued."

This concluded the evidence on both sides.

Mr. Lush then addressed the jury upon the evidence on behalf of the defendant, and Mr. Bovill made a general reply, calling on the jury with great confidence to find their verdict for the plaintiff. Mr. Baron Bramwell then, at the close of the fifth day of the trial, summed up the case to the jury as follows:—

"Gentlemen," he said, "there can be no doubt that if you give the plaintiff a verdict you ought to give him every thing you can. There can be as little doubt that this is a case of vast importance to him and to the public, and that probably the parties to whom it is of the least importance are the very eminent and highly-respectable offices which are concerned in it. Still to them it is of great importance, no doubt, and they would not lightly have defended it. There are foolish people,

they are well aware, who are likely to say when they see an office defend a case on such grounds, 'Oh, we will not insure in that office.' And such offices, no doubt, never do defend a case on such grounds, unless they are thoroughly convinced that they can sustain it. It would, indeed, be a grievous thing if such charges were to be made lightly or recklessly, and it is not likely that they will be by offices of such eminent character. The best proof that it is not so in the present case is that you are sitting there to this moment, at the end of a four days' trial, not quite so satisfied on the case as not to desire to hear me address you. I think, therefore, that every one must acquit the company of having improperly defended this action. Consider the consequences which must ensue if the companies were to say, 'We will pay claims which we believe have originated in fraud and arson rather than discredit ourselves with the public.' Gentlemen, if they were to take that course it would speedily come to this—that no man would be safe in his bed for fear lest his neighbour, certain of impunity, might not set fire to his house in order to defraud an insurance company. It would be a downright iniquity if offices were to pay claims which they believe to have arisen out of crime. It would render it necessary that the matter should be taken out of their hands and entrusted to some office on the part of the public. It is an undoubted fact that life and fire insurances have been converted into the means or motive of crime. The question, then, is undoubtedly of vast public importance. But to the plaintiff we cannot conceal from ourselves that it is of vital importance. He is charged not merely with fraud and perjury and arson, but with an act which might have terminated in the deaths of Mr. and Mrs. Temple and their son—an act which, undoubtedly, would have been murder. And, though he is not charged with a direct attempt to kill them, yet he is charged with a wilful doing of an act which he must have known might have terminated in their deaths. And this is not all. He is charged not only with having originally and wilfully set the house on fire, but, after having done it, he is represented as standing still with his arms folded, contemplating quietly the approach of the flames to the bed-room where the Temples lay! instead of what surely would be more probable—that, having done the act, he should at least attempt to save three innocent lives. Fraud, arson, murder! Such are the charges against a man of whom nothing worse has yet been discovered than that, when a youth, he did not pursue quite so steady a course as one of mercantile habits might have done, and was at one time at an hotel, and at another time acting at a theatre, and glad of a 'benefit.' That appears to have been the worst of his antecedents, so far as they are known, until he married Miss Coape. He is then subject to the imputation, it is suggested, of squandering her money away, though I don't know that he might not justify his taste for old carvings as well as some of us can our love of dogs and horses, or any thing else which we may happen to take a fancy to. He is charged, indeed, with having recklessly squandered away a large part of his sister-in-law's property, but she appears to have participated in it; and with living in a state and style not suited to him. Well, that is the worst that has yet been discovered of a man who is charged with all these crimes. Well, if these charges are true, and you confirm them by your verdict, the best thing that he can do is to go somewhere where no one will ever see or hear of him again, and where Campden House and its history are unknown. Gentlemen, it is, however, a question entirely for you. The burden of proof is on the defendants, and they are to satisfy you that this man has wilfully set fire to his house. If they do not do so, then he is entitled to your verdict. Now, in the first place, as to the motive. I need not tell you that no act of this kind is done without a motive. No man commits



such an act unless it is either to secure some object or to relieve himself from some burden or remove some obstacle. It would indeed be most unreasonable to say that because you cannot find the motive, therefore you are to assume there is none. But, if you find a motive for the act, it increases its probability; and if you do not find that there is a motive for it, it detracts from its probability; and if you find that the motive is the other way, then there is a necessity for almost overpowering proof of the act. Now, I hardly know whether it is now suggested that the motive was one of profit or gain to himself. One motive, however, which has been suggested is that, except by means of a fire, he could not realize the outlay which he had been put to, and which he desired to have returned to him, and that by a sale he could not have realized the amount of his insurances. Another motive which is suggested is more recondite, and certainly not impossible, that, being unable to carry on the appearance he had kept up, he thought that this would be the best mode of retiring from the scene. Now, with respect to any benefit or profit to be derived; he would have had out of the 29,000*l.* to be realized by these insurances, to lay out at least 12,000*l.* in rebuilding, and that the fittings were worth 7000*l.* appeared not to be really disputed. Then, as to the furniture, even assuming the claim to be excessive, there would still remain enough to justify a claim to the amount of the policy; and, as to the pictures, a list of them was in existence which was priced by him, and the offices had the opportunity of going over them before the insurances, and they accepted the new insurance, and if it had been excessive they would have observed it. Another thing to be observed is that the furniture, &c., formed Miss Coape's sole security, and the property was hers,—not his; added to which he would run all the risk of detection and all the consequences of it. Now, gentlemen, I have been counsel in many cases of this class, and I generally found that a man who has committed arson to defraud an insurance company has done so (so to speak) with the value more in his favour; and I have never heard of a case in which a man burnt down property worth at least 20,000*l.*, or perhaps more, to gain 29,000*l.*, even if he did gain it all on recovery, which he would not in this case have done. Such a thing is, to say the least, according to my experience, exceedingly improbable. Then, there is the other motive suggested—the desire to 'secure a retreat,' so to speak, from an untenable position. Well, you must consider the probability of both these motives in reference to the actual facts, so far as they have been proved, and consider whether the motive would be for or against the act imputed, not taking it for granted that because you cannot find the motive, therefore it may not have been there; and then, whether with or without the suggested motives, or with the motive the other way against the act, consider all the other circumstances of the case. Now, certainly, there are very striking things, which Mr. Lush has grouped together vividly, and disposed in a *tableau* calculated to produce an effect. And, no doubt, they are very remarkable. There's the sudden increase in the insurances; there is the plaintiff coming to Campden House with Crozier, for what reason it is difficult to understand, when Miss Coape and the servants were at Brighton. [Mr. Bovill said it was to engage a gardener.] Well, one would think that three weeks was a long time to take to engage a gardener. [Mr. Bovill.—And to prepare for the season.] One does not see that these are sufficient reasons for his coming up to stay there for three weeks without female servants, and so (though Mrs. Temple was there) without, one should suppose, the ordinary comforts and conveniences of home. Then, there is the coincidence of this with the increased insurances and the staying there three weeks with Crozier—varnishing and covering up every thing with materials undoubtedly most combustible.

Then there is the fact that to some of the windows tapestry was hung up which would obscure the interior; and books spread out, whether to assist in the burning of them, I don't know. There are undoubtedly all these concurrent circumstances—the staying in the house without any sufficient reason for staying there in such an uncomfortable state, the varnishing, the hanging the walls, the covering up of the furniture, and so on. Then there is a fact which certainly is very remarkable with reference to the occurrences of the particular night in question. They come in, Mr. Wolley and Crozier, and Mr. Wolley goes into the library, because he says it is warmer, while Crozier gets his fire lighted, and then he goes up to bed, and Crozier says he asked him if he had put out the light (and Mr. Temple's observation of the light downstairs towards the library is a confirmation of this), and up to this point there is nothing remarkable. But then Mr. Wolley says he himself went downstairs with Crozier. It seems singular that, being so sensitive to cold that he stopped in the library while Crozier went upstairs to see if the fire was alight in his bed-room, he should have gone downstairs again from his warm bed-room and sat, as he said, on the stairs while Crozier shut up. It is, no doubt, a most remarkable thing. The suggestion is, that he and his servant had apparently gone up to bed, and not knowing that they would meet the Temples, were going down again on this most horrible business, but meeting the Temples had to invent some reason for going down again. No doubt the reason they assigned was good, as far as regarded the servant. But without saying it is bad as regards Mr. Wolley, it is certainly not one which would naturally have taken him out of that bed-room. At the same time there may have been some reason or motive which he cannot now recall, and we all do acts at times for which we can assign no sufficient reason. But there is this on the other hand, that though an isolated fact may be accounted for, a number of small matters massed together may be very important. Therefore it is you are to consider the effect of all these circumstances taken together; and you must consider further, that if each of these things taken separately appears singular, it is still more strange that he should have so many such things to explain. But it is remarkable that he gives a plausible reason for every one of them. There is this great fact in his favour to begin with, that beyond all doubt when he began to increase his insurances he was under-insured; and again, it appears that the increase of his insurances was suggested to him by Mr. and Miss Coape. As regards the darkening of the windows by hanging up the tapestry to repair, it seemed strange that he did not put up one piece at a window at a time, instead of putting them all up at once. He accounts for this by saying that he wanted to see the effect of the whole of the tapestry. Such are the explanations he gives. If you think that collectively they are not satisfactory, then you may consider how far they go to make out a case against him. As to the fire burning so rapidly, no doubt it would do so, whether the fire were wilful or not, by reason of the state of preparation in which the house was at the time. I have known a case in which the fire ran up a staircase, passed by the first floor, and set fire to the second. The truth is, as was stated by one witness, there are many circumstances which would have to be considered. Thus, if the fire got hold of the staircase it would soon spread from it to the rooms right and left. Then as to that head of evidence which related to his calling out, Mr. Freer said he heard the cry, and so did the policeman Nicholson. The case for the defence on that point, therefore, that he did not call out before he heard the rattle, is at variance with their evidence. There is in this part of the case a feature of a very peculiar character. It is supposed that having set fire to his house so effectually that it must soon be consumed,

he passively watched the approach of the fire to the Temples' rooms without giving them any alarm—without doing any thing to save them from being burnt to death! That would amount to the guilt of designing not less than three needless murders! That cannot be! Surely, it is morally impossible! If it were true, there never was such a fiend in the world. There never was such a case of cold-blooded crime, if it could be supposed to be true that he never attempted to alarm the Temples. Then, as to the evidence of Ellis (as to seeing Mr. Wolley and Crozier out late that night), I am sure he was not suborned to swear an untruth. I cannot suppose that for a moment. He swears he saw them; he is contradicted, no doubt, by Mr. Wolley and Crozier (but they are accused parties), and by Mr. James, who swears he said he only saw their backs. This he denies. It is not likely he is telling a wilful untruth; yet, according to Mr. James's evidence, he is telling an untruth. How comes he to do so? I don't know; he may be mistaken. I should say in all human probability he thinks he saw them. And, as Clift says he admitted he was not sober, perhaps he cannot now remember whether he saw their backs or their faces. And if his statement, according to Mr. James, were correct, that he only saw their backs, then most likely he was mistaken in supposing that he saw them at all. There is this remarkable consideration, what had they been doing there? No doubt, if the fact were so, it would show that the evidence of Mr. Wolley and Crozier was false, and therefore, even although we might not be able to divine what they were doing there, the fact would be important, because it would show that their evidence was false. And it is certainly true that men only tell falsehoods because they cannot venture to tell the truth. There is another remarkable piece of evidence with which I cannot deal on the theory of any mistake. I allude to the evidence of the milkman, Woolhouse. He cannot have fancied that he stumbled against a bundle of clothes and took them up. And it is difficult to conceive why he should be swearing to a wilful untruth. He could have no interest in committing perjury in the matter. And if he were really telling the truth, it is a most remarkable circumstance; because, in no innocent way could those clothes have come there. And if you are satisfied that the things were there, it would be a most difficult fact to get over. Though, even then, you would have to take it with all the other circumstances. It is an awful thing to think that you can only disregard it by supposing this man to be wilfully inventing this whole story. You must consider his evidence carefully. He begins by saying that he was the first man there, and that the flames were coming out of the front windows, that he went a few steps into the kitchen, and that he then stumbled over a bundle, and scrambled something up—a pair of drawers and a pair of gentleman's boots, laced at the side. I took up, he says, a pair of linsey drawers and a pair of boots, laced at the side, such as gentlemen wear. The smoke came out, and I threw the boots on the ground. He afterwards said that he could see that the linsey drawers were coloured by the light of the fire." After having carefully analyzed the evidence, the learned Judge went on—"He does not seem to have given different accounts of the matter in his evidence, unless there is any contradiction in this—that he says his master told him that what he had to say would hurt no one, which his master surely could not have said had he been told what the witness stated here. It is true the things were not found. But it is to be observed that Crozier was standing about, and, beyond all doubt, if the things were there, Crozier would have thrown them into the fire again. It is quite possible that the things may have been brought out and seen by Crozier, or Mr. Wolley, and then thrown back into the fire. The idea that they were covered in the ruins is not feasible. No

one else saw the things. He says he was the first person there, but no one saw him, and it may be that he was gone before any one else arrived. But, if he was mistaken in that, then there is more difficulty in accounting for no one else seeing them. If he was there first, then he was wrong in saying he saw the fire in front. If he was right in saying that, then he could not have been the first there. And, if so, then it is less easy to account for other persons not seeing the things. If, however, he is right in saying that he saw them, I repeat it is a most weighty matter. It is not utterly impossible even then that the plaintiff may have rushed downstairs with them in his hands, and dropped them; but he did not suggest that. It is clear that the things were not there overnight, for neither Crozier nor Mr. Temple saw them. If you believe Woolhouse, though it does not necessarily follow, perhaps, that Mr. Wolley is guilty, yet it is a most weighty matter. And, undoubtedly, to disbelieve him, you must suppose that he is committing wilful perjury, without, so far as appears, any motive for doing so. I must again remind you that you must not in a case of this kind take any one matter by itself, but you must take the whole of the case together. It is purely a question for you to decide. The burden of proof is on the defendants; and if they have not satisfied you that the plaintiff wilfully set fire to the house, he is entitled to the verdict; and if they do satisfy you of that, then they must satisfy you that he is guilty of an attempt to commit the murder of three persons."

The jury almost immediately returned a verdict for the plaintiff.

### III.

#### THE ROUPPELL FORGERIES.

The "Annual Register" for 1862 contained a condensed report of two trials,—one a civil action, the other a criminal prosecution,—both arising out of the same extraordinary transactions,—a series of forgeries committed by William Roupell, late M.P. for the borough of Lambeth. The circumstances of the transactions thus laid open to the public view through the courts of justice were as singular, as startling, and as atrocious as any to be found in the annals of fraud; and few trials in modern days have excited a keener interest, or exhibited a more complicated tissue of iniquities. The civil suit, "Roupell and Others v. Waite," it will be remembered, was tried at Guildford, in August, 1862, the object of the plaintiff, the eldest legitimate brother of the criminal, being to establish the forgery by the latter of his father's will, and also of a deed purporting to have been executed by the father to the same William Roupell. The action, after a protracted investigation, terminated in a compromise, the jury being unable to agree upon a verdict; whereupon a jurymen was by consent of both parties withdrawn, the plaintiff and defendant agreeing to divide between them the property which was the subject of the suit. It was stated at the time that other property to a large amount was placed in the same state of jeopardy through the acts of William Roupell, and would probably give occasion to renewed litigation. In the mean time the author of all this mischief—being a principal witness in the action brought by his brother, and having openly charged himself with the commission of various acts of forgery and fraud—was committed for trial, under the direction of the learned judge who tried the suit, and was arraigned at the Central Criminal Court on the 24th of September, 1862,



on the charges of forging his father's will and the deed of conveyance above referred to. To these charges he at once pleaded that he was guilty, and received sentence of penal servitude for life. From the place of punishment to which he was then consigned it was his singular fate to be again brought up in the face of day, again to be called upon to proclaim his own infamy, and to unravel the transactions to which no other person was competent to give a clue except the guilty author himself. The action of "*Roupell and Another v. Haws and Others*" was tried at the Chelmsford Assizes in July, 1863, before Mr. Baron Channell and a Special Jury, and for eight long days engaged the attention of the Court, and filled the columns of the newspapers. To give the evidence of this remarkable trial even in an abridged form would require a space much greater than our limits can afford. The proceedings in detail would demand a volume to themselves. We can attempt no more than to give a brief outline of the history of the suit, and of the principal facts disclosed by the witnesses, concluding with the summing up of the learned judge, in which the leading features of this marvellous tissue of crimes are clearly recapitulated.

The action was brought to recover an estate at Great Warley, in Essex, consisting of two farms, the one, "*Bury*," in the occupation of Haws; the other, "*Bolens*," in the occupation of Springham. The real parties to the action were Richard Roupell, as son and heir, and also as devisee of his father, the late Richard Palmer Roupell, and certain persons, trustees, as was stated, for widows and children, who took a mortgage of the estate in July, 1857, from William Roupell; and the real defendants were the mortgagees, who were let in to defend as landlords. The plaintiff gave sufficient proof that he was the lawful heir of his father. He also claimed as devisee of this estate under a will of his father made in October, 1850, and confirmed by a codicil of 30th of August, 1856; but of which the only evidence as to its contents was that of William Roupell, who swore that he had destroyed it, but stated from memory the dispositions which it made; and unfortunately the proctors had destroyed the draught when the later will was proved. That will, of the 2nd September, 1856, gave all the estates to the widow, and made her and William Roupell executors. The case for the defendants was founded on a deed of gift to William Roupell from his father, dated 9th January, 1856. The case for the plaintiff was that the deed and the will of 1856 were forgeries of William Roupell. Such being the case on each side, the evidence was in substance this. The main evidence for the plaintiff was of course that of William Roupell, who swore positively that he forged both deed and will. A great deal of evidence, however, was given on the part of the plaintiff, with a view to confirm his testimony; and on the other hand it was sought to contradict him, not by direct cross-examination of himself (for the counsel for the defendants treated him as unworthy of credit, and declined to cross-examine him), but by cross-examination of other witnesses for the plaintiff, and also by the evidence of some witnesses for the defendants. The most important witnesses, after William Roupell, were the two attesting witnesses to the deed of gift, Truman and Dove, and the two tenants, Haws and Springham. All these were called for the plaintiff, and the two former were subjected to a very severe and protracted cross-examination by the counsel for the defendants. To understand the nature of their testimony it is necessary to observe what the deed was, and how it purported to have been executed. It was a deed of grant or gift, which, as the learned judge observed, did not require to be executed by the grantee or donee, William Roupell, but only by the grantor or donor, R. P. Roupell; and again, it did not require that his

signature should be attested, but only that he should sign and deliver it to the donee, William Roupell, or some one on his behalf taking it for him. Neither was it required, as in the case of a will, that the donor's execution should have been attested by two witnesses, but only that it should be signed, sealed, and delivered by the donor. The circumstances under which it was prepared and executed were stated by William Roupell, and his was the only direct evidence about it. In January, 1856, he stated that he was in great difficulties, owing Mr. Whitaker, who acted as his attorney, 12,000*l.*, and being also largely indebted to his bankers. The nature of the transactions out of which this indebtedness arose were not entered into, though various facts were casually elicited on the subject. For example, it came out in his examination that he had borrowed 40,000*l.* from the Guardian Assurance Society on mortgage, and that he had been convicted of forgery. It further appeared that he had caused to be prepared at Mr. Whitaker's office a great number of deeds; and that Whitaker, to whom he had been introduced by Watts (a brother-in-law of Mrs. Roupell), had raised money for him. It also appeared, from the evidence of Truman, that in 1855 he had been in the confidence of his father, and was engaged in managing for him a great estate called the Roupell-park estate; which was laid out for building, and at which he engaged Truman to assist in managing a brickmaking business, at a salary of 300*l.* a year. Further he let fall a remarkable allusion to rent, which his father believed the Unity Banking Company "were paying for the Roupell-park property." Further, it appeared that in June, 1855, his father had transferred to him the copyhold part of one of these farms—Bolens; though it was said that it was for the purpose of enfranchisement, or conversion of it into freehold; and in September, 1855, he was admitted owner; and in July, 1856 (after this deed), he enfranchised it, and became the owner in freehold of forty acres of that farm. The farm, however, was let by his father on one lease at one entire rent; and his father continued to receive the rents of both farms, and had the counterparts of the leases in his box along with the title-deeds. On the 3rd of January, 1856, he obtained from his father the leases and title-deeds, telling him, as he said, that it was necessary for the purpose of enfranchisement that he should have the deeds as to Bolens, and giving his father a receipt, which ran thus:—

"Received of R. P. Roupell the papers and deeds relating to the Havering property called Bolens."

("Havering" was his mistake for "Warley," which the old man had corrected.) But he undoubtedly obtained the title-deeds of the entire estate and the counterparts of the leases of both farms. Between the 3rd and the 8th of January he got copies of the counterpart leases, altered them so as to make them draughts of leases by himself, at rentals nearly doubled—had them signed—sent the fair copies and the title-deeds (retaining the real counterpart leases) to Whitaker, his attorney, with instructions to prepare leases according to the draughts, and likewise to prepare a deed of grant to himself of the estate; handing him, as he said, on the 8th of January a letter, which ran thus, and purported to be signed by his father:—

"Aspen House, Brixton-hill, Jan. 8, 1856.

"Dear Sir,—My son has mentioned to me that it is considered desirable for conveyances from one member of the family to another to be drawn up by disinterested witnesses, and therefore I beg that you will attend to this matter

for us, and prepare the conveyance to my son of the two farms at Havering-atte-Bower, in Essex, called Bolens and Herds. The forms of leases I have already given to him.

"I am, dear Sir, yours truly,

"Thomas Whitaker, Esq."

"R. P. ROUPELL.

This letter he and Sarah Roupell (the sister) swore was in her handwriting, and had been copied by her, as he said, from a draught by her, or written by her, as she said, from his dictation. She did not remember, she said, whether she had shown it to or mentioned it to her father. She was not asked if it was signed by her father. But William Roupell swore that it was not, and that he wrote his father's name to it, and gave it to Whitaker. His evidence as to this was that his father knew nothing about it. The signature was, he said, like his father's. He gave the letter to Whitaker as the authority from his father for preparing the deed of conveyance to himself and the new leases to the tenants; and he told them that his father desired that he should execute leases to the tenants at the time he took a conveyance from his father. He further stated that both before and after the deed of conveyance was executed to him he told Whitaker to raise money upon it, as much as he could get. Mr. Whitaker, he said, prepared the deed of gift upon that letter. Having got it from Whitaker he took it away, he said, to get it executed, and then at Aspen House forged his father's signature to it. He said Mr. Whitaker gave it to him when engrossed, and before it was executed. It was given to him to get it executed, and he signed his father's name to the deed. The witness went on to say that he forged the signature to the deed at the end of February or beginning of March, 1856. It was dated the 9th of January. He put the signature to it after the date it bore. It was not, he said, stamped at the time. He forged his father's signature. But upon this the stamps were examined, and the date of one was the 18th of December, 1855, and of the other the 9th of January, 1856. He was not certain whether the stamps were on when he executed the forgery. The names of the two witnesses were Truman and Dove, and the signatures were really theirs, which he had obtained by asking them to attest his signature to a lease. He signed the deed in their presence, and turned the deed round, placing his hand upon the attestation clause while they signed. Upon the face of the deed their signatures appeared as attesting the father's signature. William Roupell explained this by saying he had covered the attestation clause. There was the signature of Mr. Whitaker, also, as a witness to the deed, attesting William Roupell's signature, and William Roupell said that was added soon afterwards. The execution by the donor purported to be attested by two witnesses, Truman and Dove, who, however, not only did not swear they saw him sign, but positively swore that they did not, and the main effort in cross-examination was to bring them into contradiction of William Roupell as to the manner in which he stated that he got them to attest, and to expose them to contradiction by a Mr. Covington, an attorney, who had seen them on the subject on the part of the defendants. The account which William Roupell gave was that he signed the deed, put blotting-paper over the attestation clause of his signature as donee, and got them to attest what they thought his signature, but what was, in fact, a signature he had forged for his father's. The deed itself had first the clause of execution by the donor, "signed, sealed, and delivered by the within-named R. P. Roupell, in the presence of" the witnesses Truman and Dove, whose signatures are beneath, the "h" of John running up into the "e" of Roupell. Then there was the

attestation of William Roupell's signature by Mr. Edwin Whitaker, a brother of Mr. Whitaker, the attorney of William Roupell, and he being examined, stated that he saw William Roupell sign the deed, and that it was then signed by Truman and Dove, and that the attestation clause of the execution by R. P. Roupell was at that time filled up. This was relied upon as a contradiction of Truman and William Roupell, and Mr. Covington was called to show that when Truman and Dove were first applied to on the subject they did not say that they had not seen the old man execute the deed. Further, they made the time of execution to have been summer, whereas it was in the spring, and William Roupell, it would be seen, stated it was the end of February, whereas a memorandum of deposit of the deed with Whitaker was produced, dated the 11th of February, 1856, so that the deed must have been completed before then.

Such was the substance of the evidence on this the vital part of the case. The deed having been completed was first deposited with Mr. Whitaker, to whom William Roupell owed money, and he also owed 12,000*l.* to the bank on his guarantee, and a mortgage to Whitaker was prepared, but not executed. An advance was obtained from a Mr. Longman, who, however, finding that the father was not to be a concurring party on a conveyance to himself, declined to have any thing to do with the transaction. This was in July, 1856, and, notwithstanding this, no application was made to the testator to ascertain if he really had executed the deed, and subsequently a mortgage of the estate to Whitaker was prepared in his office, but it was not executed. On the 12th of September, 1856, the old man died, having, just before (on August 30th), confirmed the will of 1850. It was proved that the old man received the rents, and dealt with the property as owner down to the time of his death, but, on the other hand, the tenants stated he told them that they would have his son William for their landlord, and that he had given him the estate. After his death, William Roupell proved the will of 1856, giving all the estates to his mother, and received the rents as for her. According to his own account, he carried the will of 1850 about with him, having determined to destroy it, because it gave the Warley estate to his brother Richard. And the case for the plaintiff was that he forged the will of September 2nd, 1856, after his father's death, in order to get rid of that former will, and prevent the discovery of his fraud as to the deed of gift. The mortgage to Whitaker, it will be remembered, was prepared, but not executed. It was in July, 1857, that the mortgage of this estate to the defendants was executed for 12,000*l.*, which was employed in liquidating the debt to the bank, for which Whitaker was guarantee. The mortgage recited the forged leases, which had been shown to them, to enhance the value of the estate. So long as they were out of possession, receiving the interest, the fraud as to the leases was not discovered. When, however, in 1862, William Roupell became embarrassed, and could no longer keep up the interest, they threatened to take possession, on which, of course, the fraud would be discovered. He, thereupon, had certain communications with Whitaker, the nature of which did not appear, as he was not examined about them, and Whitaker was not called. The case for the defendants was that he threatened to declare the deed forged if they exposed the fraud as to the leases. In the result he absconded in March, 1862, and returned in August, 1862, when he appeared as a witness at the trial at Guildford on behalf of his brother in the action to recover the Kingston estate. On that occasion he swore to the forgery of the deed of conveyance of that estate, and also of the will of the 2nd of September, 1856. On that occasion he was cross-examined with a view to shake his testimony, and to show that he had set up



this story only to recruit the fortunes of his family, and with that view it was elicited from him that the value of the various other properties of his father at the time of his death was:—Roupell-street estate, 50,000*l.*; Kingston, 15,000*l.*; Warley, Essex, 12,000*l.*; Thundersley, 10,000*l.*; Havering-atte-Bower, 7500*l.*; leadworks, 1500*l.*; premises in Shoe-lane, 2000*l.*; premises in Bear-lane, 2000*l.*; premises in Lant-street, Southwark, 3500*l.*; hop-warehouses, Borough, 2500*l.*; Wandsworth-road estates, 8000*l.*; Southwell, 4500*l.*; Hampshire estates, 4500*l.*; and that he had raised 135,000*l.* on Roupell-park estate, and about 30,000*l.* on Roupell-street estate, and about 12,000*l.* on the Warley estate in Essex, so that the total charge on all the estates came to about 184,000*l.*; and it was suggested that the object of his testimony as to the forgery of the securities was simply to get back all this property for his family; and this was also suggested on the part of the defendants in the present trial. On the other hand, it was suggested by the counsel for the plaintiff that the great object of his forgery of the will of September, 1856, was to cover his frauds in regard to this particular estate, because the will of 1850 gave it, as he said, to his brother, and the codicil of the 30th of August, 1856, confirmed it. That codicil, according to a “draught” copy of it, ran thus:—

“This is a codicil to the last will of me, Richard Palmer Roupell, which will bears date on the 1st day of October, 1850. Whereas, by my said will, I appointed my wife Sarah, my son William Roupell, R. Stevens, and P. Hughes executors and trustees of my will; and P. Hughes has departed this life, and I have since the execution of my said will made some alterations on the side thereof, stating such fact, and appointing J. Surridge and William Clarke to be executors and trustees thereof, along with my said wife and son, and Richard Stevens; and whereas I did not re-execute my said will, except by showing such alterations to the said W. Clarke, who then subscribed his name thereto; now, I do hereby appoint the said J. Surridge and W. Clarke to be executors of my said will (then follows some legacies to them), and in every other respect I confirm my said will. In witness,—

“(Witnesses) J. S.  
G. C. R.

“August 30th, 1856.”

The initials were those of Mr. Sharpe and Mr. Ring, the proctors who prepared it. They, however, having burnt the draught of the will of 1850 when that of 1856 was proved, could not speak to its contents; and of this there was no evidence but that of William Roupell, who stated that, after carrying the will of 1850 about with him for six years, he burnt it in March, 1862. Two of the executors above mentioned, Clarke and Surridge, were called as witnesses, and one of the most remarkable features in the case was that they actually declared their belief in the genuineness of the signatures said to be forged. Mr. Surridge, being called for the plaintiff, and shown the will, said it was genuine, and he was not asked as to the deed. And Mr. Clarke was called for the defendants, and declared both the will of 1856 and the deed of 1856 to be “decidedly genuine.” The third executor, the eminent law publisher, Mr. Richard Stevens, though present in court, was not called by either side. Nor were the two tenants of the estate in question, nor the two attesting witnesses of the deed asked as to the genuineness of the signature they appeared to have attested, but only swore that they had not seen it signed by the donor. Of the other tenants who were called, the most were called by the defendants, and declared the deed genuine. And the greater part of the evidence of the plaintiff (except that of the experts) was

William Roupell that he directed Whitaker to raise as much money for him as he could upon the deed. Before it was engrossed it was, he said, handed to him, and he signed his father's name as donor and his own as donee. He said he did it at the end of February or beginning of March, and that he got it attested by Truman and Dove, under the idea that it was a lease signed by himself. He said he put blotting-paper over the attestation. A good deal had been said as to the appearance of the signatures, as showing that the "h" of John Truman's name went up into the "e" of old Roupell's name above it, and that the name "R. P. Roupell" must have been written first. But if the blotting-paper had been so placed as to leave the word "Roupell" uncovered, that would be accounted for and would not be so important. That they signed the deed as attesting witnesses was clear, and the evidence was quite consistent with this supposition, that the name of old Roupell was already signed to the deed, and that only the initial letters "R. P." were covered or concealed. The evidence of William Roupell was that he directed Mr. Whitaker to raise as much money as he could upon the deed, and that on the 6th of February, 1856, he got 6000*l.* from Whitaker, who was called to produce the deeds, but not called to be examined as a witness. Observations had been made on one side and the other to show that the other side should have called him as a witness. He should not himself make any observations upon that point further than that it was competent in point of law for a party to call a person to produce deeds without examining him as a witness. It was said that the case for the plaintiff had been opened as if the names of the attesting witnesses were forged, whereas it turned out that they were really signed. In a certain sense their signatures or attestations were forgeries; for if a man were induced to put his name to one instrument, supposing it to be another, it was a fraud, if not a forgery, and would invalidate an instrument so executed by the maker or grantor under such a mistake as to its identity. In this case, however, the attesting witnesses really signed as such, and said they supposed the instrument to be a lease by William Roupell, and so of the counterpart leases. Then on the 11th of February, 1856, there was a deposit of the deed with Whitaker, and on the 11th of March with Mr. Longman. At that time, as William Roupell stated, he owed Whitaker several thousand pounds, besides the new advance; and he also owed the London and Westminster Bank 12,000*l.* Mr. Longman advanced 6000*l.* The enfranchisement of the copyhold was in July, 1856. Mr. Longman would not continue the transaction, and called in the 6000*l.* he had advanced. There was a mortgage to Whitaker prepared, dated July, 1857, which was never executed. Mr. Edwin Whitaker was called, and stated that it was prepared in the office. William Roupell stated that the negotiations with Whitaker were pending at the time of his father's death, and that in July, 1857, he executed a mortgage to the defendants for 12,000*l.*, with which the sum guaranteed by Whitaker was paid off, and Whitaker signed the receipt for the money indorsed on the deed, the money being paid into the account at the London and Westminster Bank. There was an entry in the pass-book—"July 29, 12,000*l.*;" and it appeared that the money passed through Whitaker's hands, the money being received by him and paid into William Roupell's account by Whitaker, and then, on the same date, the whole amount was drawn out. William Roupell stated that on the 28th of March, 1862, he gave Whitaker the genuine documents, the real counterpart leases he had taken from his father's box. Up to that time he said Whitaker did not know they were not genuine. He gave Whitaker the first intimation on the 18th of March, 1862. He said he saw that at that time

discovery was imminent. He further stated that on the 9th or 10th of September, 1856, his father told him he meant to make a new will giving him the whole of his property, and that he "glanced" at the will of 1850, and did not see the dispositions of property which it made; but that he dissuaded his father from altering his will. He then went on to state the circumstances under which, after his father's death, he forged the will of September, 1856. He said he took the will of 1850, on which the codicil of August, 1856, was written. He said he took out the will and put it into his writing-desk, and read it within a week. It was singular that he should not have read it before. This was a part of the case to which the jury would do well to attend. The witness said the will of 1850 gave the estate to his brother. If so, and if the will of 1856 was forged, then that will of 1850 would give the estate to Richard; and if the deed was not valid, he would be entitled to recover. It was to be borne in mind that it was sworn that in 1856 the old man had spoken of giving the estate to William. If it was so given by the will of 1850, then, of course, there would be a difficulty in the plaintiff's case (even supposing the deed not valid) if the will of 1856 was also invalid, which gave the property to the widow. The witness, however, stated all the circumstances of his alleged forgery of the will of September, 1856. He swore that the whole of it, attestations and all, were in his writing. That will had been proved, and made himself and his mother co-executors. There was no renunciation by the mother; but the will was proved by him alone. No doubt, the proctors were surprised at a new will so soon after the codicil of the 30th August, 1856, confirming the will of 1850. It was unfortunate that the will of 1850 was not forthcoming, and the draught of it had been destroyed by the proctors when the other was proved. It was not the habit of respectable proctors to destroy draughts of wills in their office, but the destruction of it was excused in this case by the circumstance that the latter will had been proved, and so the draught of the former seemed useless, and on the occasion of a removal of the office was destroyed with other papers deemed useless. The will, however, of September, 1856, was proved by the son William alone, the mother having written a letter to the proctors, to the effect that she did not desire to interpose. The letter spoke of the confidence reposed in him both by his father and mother, and was read for the purpose of showing the influence he had acquired over both of them. At all events, he obtained probate of the will of 1856, and went on to state that the will of 1850 devised the Warley estate to Richard, and, as he said, divided the whole of the property among "the family" pretty equally. He stated that in the will of 1850 he was described as "my son called William," and it was suggested that this had a good deal to do with his resolution to supersede and suppress that will. But he did not destroy it, he said, until March, 1862. He admitted that he had practically cheated the defendants out of 12,000*l.*, and that, though it was not, as he said, his purpose to get the property back for his family, it would be the incidental effect of his evidence to do so. And he said he had committed frauds and forgeries to the amount of about 200,000*l.* Such was the evidence of William Roupell. He would now direct their attention to the evidence of the attesting witnesses. They denied that they ever saw R. P. Roupell sign a deed; but that their own signatures to the attestation of the deed were genuine. The only persons present when they signed, they said, were themselves and William Roupell. There was evidence as to handwriting of several classes of witnesses. Persons who had been acquainted with the testator and saw him write, persons who were acquainted with William Roupell and knew his handwriting, were called to prove that the signatures to the deed or will were his and

not his father's. The great object of their evidence was to show that the deed was really executed by William Roupell alone—not by his father. They stated that they thought the attestation clause above their signatures was written when they signed, but they could not say that the whole of it was there, though they saw “something” written above. They said they did not remember the word or name “Roupell” above other names, but they said that the word “R. P. Roupell” in the attestation clause was in William Roupell's handwriting. This was to be compared with the evidence of Edwin Whitaker that it was in William Roupell's handwriting. In April, 1862, just after William Roupell had absconded, these witnesses were seen by Mr. Covington, on the part of the defendants, and he was called to contradict them as to their not having said then that they had not seen the old man sign the deed, and as to their saying that they should not have put their names if they had not seen him sign. Their own positive evidence now, however, was that they had not seen him sign. No doubt, if a deed duly attested was produced, it was not enough that the attesting witnesses did not recollect the signature of the donor or testator; but in this instance they explained that they thought that they were attesting something else, and they both swore positively that they did not see him execute the deed. The evidence of Mr. Covington was that they did not then say they had never seen the old man sign the deed, though Dove said he did not recollect that he had done so. The evidence was not quite reconcilable; but the two attesting witnesses now swore positively to the broad fact that they neither of them saw the old man sign the deed. Mr. Edwin Whitaker, brother of the Mr. Whitaker of whom so much had been said, was called and examined on the subject so far as concerned his own attestation of William Roupell's execution of the deed. He said that when William Roupell signed he signed the second attestation beneath the first, which was of R. P. Roupell's execution. He said the whole of the first attestation of R. P. Roupell was already written and completely filled when he attested “William Roupell” beneath it. It was not necessary in law that William Roupell should execute the deed, but he did so. And the evidence of Mr. Edwin Whitaker was that the whole attestation of William Roupell's execution was sent out from the office ready written out, and filled in with the words “in the presence of,” in his handwriting. This was to be compared with the evidence of Truman and Dove. The evidence of Mr. Edwin Whitaker was that the first attestation clause was filled in with the name of R. P. Roupell before it was sent out from the office. If so, of course it must have been there when Truman and Dove signed. And they said William Roupell covered it. Such was the evidence on this part of the case and the remarks which arose upon it. Then, as to the leases, the clerk to the law stationers, Messrs. Waterlow, was called to prove that they were copied on the 5th and 7th of January, 1856. The son of old Muggeridge, one of the witnesses to the will of September, 1856, was called to show that the deed was not genuine, and he said he believed it was not; and so he said of the will. Adverting to the evidence of the two tenants, Haws and Springham, the judge noticed that the latter produced his receipt for the rent of July, 1856, signed by the testator, and spoke to his making allowances for repairs, &c., up to September, 1856, the time of his death. This evidence the learned judge said was to show that, whatever might have been the intentions of old Roupell, he had not really carried them out so far as to part with the property to his son. The tenants had (he observed) agreed to hold of the mortgagees in 1862, on the expiration of their original leases, and the mortgagees had sued them for rent on the leases up to Michaelmas, 1862, when their



leases expired ; and also for use and occupation for their subsequent holding under that acknowledgment of tenancy. Those actions had been defended by the now plaintiff's attorneys really on his behalf, and the actions were ultimately settled. A good deal had been said as to that, but after the tenants' acknowledgment of tenancy to the mortgagees, the tenants could hardly have defended that action successfully. The attorneys for the now plaintiff, therefore, eventually let judgment go by default in those actions, and brought the present action, which was one of ejectment, to try the title. There was now a direct claim by the plaintiff as entitled to the property on the grounds he had stated. The plaintiff relied upon acts of apparent ownership exercised by old Roupell after the transfer of the copyholds. About the fact of that transfer there was no doubt or dispute, though it was suggested by the plaintiff's counsel that it was with a view to "enfranchise-ment." There may have been an intention in old Roupell to give his son William the estate, but it also appeared that he thought it would be advantageous to have the copyhold transferred to him. The son was undoubtedly "admitted" in September, 1855, and there was evidence that the father at that time spoke to Haws as to his intention to give the property to his son William. Whether he meant by that the copyhold part of Bolens farm, or the whole of the farm, or both the farms, was left a little in doubt. On the part of the defendants these expressions were strongly relied upon, while on the part of the plaintiff equal reliance was placed on the evidence as to acts of ownership exercised by the testator down to the very month in which he died. Haws certainly proved a settlement with him on the 8th of September, 1856, only four days before his death, and various allowances between March and September, 1856, for repairs, &c. That witness likewise spoke to acts of ownership by the old man in June as to trees marked for felling. After the death of the testator the tenants paid rent to William Roupell. It was stated by Haws that the testator said to him, "I have given your place to my son, and you will have a lawyer for your landlord." This witness spoke to a letter in September to the old man about marking timber, and to a visit by William Roupell about it. The evidence of this witness and of the other tenant was very strongly relied upon by both parties. On the part of the defendants there was little evidence as to new and distinct facts, apart from that as to handwriting. The only witnesses on their side as to new facts were Mr. Covington and Mr. Edwin Whitaker, already adverted to. He was aware of no new facts on their side, except to lay a foundation for the evidence as to handwriting. There were no new substantive facts beyond what he had noticed. As to the evidence upon handwriting, the jury had to form their own opinion upon it. It was competent to experts to give evidence upon the matter, but probably it was entitled to little weight. There were other witnesses—tenants and others—who had actually had transactions with old Roupell, and seen him frequently write. Under a late Act of Parliament (the Common Law Procedure Act, 1854) documents might be put in for the purpose of comparison of handwriting. The jury had heard a great deal about peculiarities of handwriting, and the general habit of writing ; and a great many witnesses, having compared the deed with their receipts, had given their opinion to the jury. Upon this head of evidence there was very little that could be said, and the jury must form their judgment upon it ; but, whatever weight they might give to it, there were other and more important facts to be considered. The evidence for the defendants as to handwriting, that the deed was genuine, was certainly very strong and cogent ; but by itself it would probably come to little, apart from all the other facts and circum-

stances of the case. The evidence of William Roupell certainly was to be received with the utmost distrust, unless it was supported by other evidence so far as it could reasonably be so. The plaintiff's counsel contended that it was so. If the jury were not satisfied that he was speaking the truth they must not, of course, rely upon his testimony; but, if they were so, then they might find for the plaintiff, provided the other evidence supported the case on his behalf. In conclusion, the learned Baron said there were several questions which he should leave to them:—

First,—Was the deed of gift signed by old Roupell in the presence of the two witnesses?

Secondly,—Assuming that it was not so, was it actually signed and sealed by him, whether or not in the presence of the witnesses?

Thirdly,—Was the will of the 2nd of September, 1856, the will of the testator? (the effect of which would be that the will of 1850 would be revoked.)

Fourthly,—If that will of 1850 was not revoked, did it devise this estate to the plaintiff, Richard Roupell?

The jury then retired to consider their verdict. It was about twenty-five minutes past two o'clock.

They were absent for some hours. Shortly before six they returned into court, and, the officer calling on them in the usual way, "Are you agreed on your verdict?"—

The foreman answered,—Not quite. We are agreed as to three of the issues, but not as to the second (whether the deed was executed)—nor are we, as to that, at all likely to agree.

The learned Judge desired to have the paper of questions he had given to the jury; and, looking at it, said he thought he need not trouble them to agree as to the one on which they were not agreed. His lordship handed it down to the counsel on each side to look at it, and they did so; on which

Mr. Serjeant Shee said he thought the jury had better give their answers openly.

The learned Judge asked if the second question were withdrawn by the defendants.

Mr. Bovill said he only desired a general verdict.

The learned Judge said he had put the question to the jury at the desire of the defendants' counsel, and could not withdraw it without their consent.

Mr. Bovill said it seemed to him the main point in the case. Upon this

The learned Judge said he must desire them to retire again to reconsider that question.

The answers of the jury were as follows:—

To the first question,—Was the deed of gift executed in the presence of the two witnesses?—they answered it was not.

Upon the second question, as to whether it was executed by the testator, they were not agreed.

To the third question,—Was the will of September 2, 1856, the will of the testator?—they found it was not so.

To the fourth question,—Whether the will of 1850 devised the estate to the plaintiff—they answered that there was not sufficient evidence to enable them to find.

The jury retired again about six o'clock. At half-past seven they again returned into court, having been out five hours, and

The foreman being asked if they were agreed, said,—No; we are in the same

position as when we went out, and I regret to say that, however long we may remain together, there is no prospect of our being able to agree.

The learned Judge then prepared in writing another paper, in which he said there was an alteration of the fourth question.

At ten o'clock, the jury being still unable to agree, and declaring that there was no prospect of their coming to an unanimous conclusion, the learned Judge, after conferring with the counsel on both sides, declared the jury to be discharged, and so this long-contested case ended, like the suit tried at Guildford, without any decision.

#### IV.

### THE BANK FORGERIES.

Four out of six prisoners charged with being concerned in forgeries on the Bank of England were put upon their trial at the Central Criminal Court, on the 7th of January, before Mr. Justice Blackburn and a jury—namely, George Buncher, 40, described as a butcher, William Burnett, 31, labourer, Richard Brewer, 34, mould-maker, and James Griffiths, 40, printer. The prisoners were formally indicted for uttering a forged 5*l.* Bank of England note, but upon that simple issue the whole case for the prosecution in all its parts and ramifications was disclosed.

Sir Fitzroy Kelly, with Mr. Bovill, Q.C., Mr. Giffard, and Mr. Mathews, was counsel for the prosecution; Mr. Serjeant Ballantine, Mr. D. D. Keane, and Mr. F. H. Lewis, defended the prisoner Brewer, and Mr. Pater the prisoner Buncher. The prisoners Burnett and Griffiths had no counsel.

A model upon a large scale of the bank-paper mills at Laverstoke, with all their contiguous offices and grounds, was placed in sight of the jury.

Sir F. Kelly having stated the case for the prosecution, the first witness called was Henry Webb, a city detective police officer. He deposed to going to the house of the prisoner Griffiths, at 2, Brown's-buildings, Winsen-street, Birmingham, on the 27th of October, accompanied by Inspectors Tandy and Mauton. On getting admission to the house they went upstairs to the front room on the first floor, where they found Griffiths with his shirt sleeves tucked up, and his hands covered with ink. In the room was a printing-press, which seemed to be in use, and on it were twenty-one forged Bank of England notes, without the date or signature. On a bed in the room were twenty forged 10*l.*-notes finished, and a half-sheet of rupee paper wrapped up in gutta percha, and twenty-five forged 5*l.*-notes. In the room, close to the fireplace, there was a stove, on which lay a "mother-plate," so called, for engraving the body of the 10*l.*-note. On the table in the same room there was also a mother-plate for a 5*l.*-note. In the same room, behind the door, were two other copper plates for making the water-mark. There was also a date and signature plate, all which he produced. After they had searched the house witness asked Griffiths if he had any more plates in his possession. He said he had some buried in a field, and that if Inspectors Tandy and Mauton and witness would go with him he would point out the place. They did so, and on their way he said he had been engaged in printing forged Bank of England notes since 1846; that he had printed the whole of the forged notes on the Bank of England for the last seventeen years, and that he had printed on genuine paper, stolen from the mill,

180 5*l*.-notes and 20 10*l*.-notes for a man named Buncher, and 20 5*l*.-notes for another person. After walking some distance they came to a field, and after digging in a bank, assisted by Griffiths, they found a considerable number of plates, which were now in the possession of Inspector Mauton. They then went to another place, and found more plates, which were also in Mr. Mauton's possession. Griffiths was taken before the magistrates at Birmingham, and afterwards brought to London.

Inspector Mauton, of the Birmingham police, produced the plates referred to by the previous witness, and which, he said, were mostly number and signature plates.

Mr. George Philip Tandy also produced some number plates and date and name plates found in Griffiths's house, with a brass plate used for rolling the note paper.

Mr. Frederick Murfill said,—I am inspector of bank-notes in the Bank of England, and have been so for twenty-five years. I have in that way become familiar with forged notes which have been presented there from time to time. No forged notes on genuine paper were brought to the Bank prior to August last. On the 16th of that month a forged 5*l*.-note, printed on genuine paper, was brought in. It was dated the 23rd of January, 1862, and was an impression, as I have since discovered, from plates found at the prisoner Griffiths's house. From that time about thirty-two 5*l*. and four 10*l*.-notes have been presented at the Bank on genuine paper, and which had also been printed from the plates used by Griffiths. A great number on common paper and printed from his plates have also been brought in. The genuine bank-notes are printed in the Bank, and from paper made at the mill at Laverstoke.

In reply to Mr. Pater, witness said there was nothing on the notes to which he had referred to show the date of their manufacture.

John Litchfield, under-foreman at the Laverstoke mills, identified the paper on which the forged notes on genuine paper referred to by the last witness had been printed as having been made at Laverstoke. It was sized, he said, but not glazed, and no paper was ever sent from the mill before being glazed. In August last, he said, a considerable quantity of paper was missed from the mill, and he identified the piece of 10-rupee paper produced (that found at Griffiths's house) as having been made there. It had not been sized at all, he said, and was only in the "dry, water-leaf state," in which it was never issued.

By Mr. Pater.—There was nothing on the rupee paper to show the date of the manufacture. August last was not the first time paper had been missed from the mill; but he could not say how often without referring to books. He referred to Bank paper as well as rupee paper.

Henry Brown was called and examined by Mr. Bovill. He said, I am twenty-one years old, and am a son of George Brown, a carpenter at the Laverstoke mills. I was in the habit of assisting my father at the mills. Between May and Christmas, 1861, I first became acquainted with the prisoner Burnett, and that was at the Three Horse-shoes, Whitchurch, where he and his wife were then staying with his sister-in-law. I saw him very often there. His wife first spoke to me about bank-note paper, and Burnett afterwards said he knew some one who would print notes and pass them. He asked me to get some paper from the mills, but I refused. He asked me to do so repeatedly afterwards, and so did his wife. At last I took some from the mills—three sheets, or paper for six notes. I took it from the side of the size-drying machine, where it is passed between felted blankets and heated rollers. Two girls work at the machine, one



at each end. One puts the paper in and the other takes it out. It lies between the felts during the process. Near the lower end of the machine, at the side of it next to the wall, there is a place where a man can put his hand in and take paper from between the blankets. The paper is put in while the machine is in motion, and in two or three sheets together longwise, on the blankets. I got the three sheets from a place in the machine where I could not be seen by the girls. It was part of my duty to see that the blankets did not crease, and that the paper went regularly. The three sheets were "plain" paper—that is, without the denomination of the note upon it, but it had all the water-marks. I gave them to Mrs. Burnett about May or June. About that time Burnett said he knew some one who would print and pass the notes, but that he must take the paper to London. He several times asked me to get some more. He said I might as well do so, and go to London on a "spree." I replied I would see if I could. I then took five sheets of 10*l.*-note paper from the same part of the machine. I gave them to Burnett at Whitchurch. He afterwards asked me to get some more; I refused, upon which he said if that was "tumbled to" (found out) he should probably split upon me. I told him I should see about getting more. I then took ten sheets of "fifties" from the same place in the machine. [In every case there were two notes in a sheet.] That was the third time, and as I was leaving the mill I met Brewer, who asked me what I had got in my pocket. I replied, "Nothing." He said I had got some paper. I denied that I had, and said it was only a piece of wrapper. He insisted it was paper, and said I had better take it back, adding that he did not want to get me into a "row," or he would tell the "governor." I said I would, if he would not mention the matter. I went to do so, but Mr. Dusautoy was in the room, and I had not a chance. I took it down to the carpenter's shop, and Brewer came to me there and asked what I was going to do with the paper, and whether I had put it back. I said I had not a chance, and that I would take it to Burnett at Whitchurch, who would take it to somebody in London to print. He asked me who that was. I said I did not know. He told me to put it back as soon as I could. I had no opportunity, and afterwards took it to Burnett. I told him what Brewer had said. The next day I saw Brewer, and he asked me whether I had put the paper back. I said I had not a chance, and had taken it to Burnett. He advised me not to take any more. Burnett had then left the Three Horse-shoes for London. I saw him at Whitchurch two or three days afterwards. He gave me 4*l.*, telling me to give 3*l.* to Brewer, and keep 1*l.* myself. I kept 1*l.* and gave 3*l.* to Brewer, telling him Burnett had sent it. He said he did not want any thing to do with Burnett or his money. I told him he might as well take it, and he did so. He asked me if I knew where Burnett took the paper to. I said I did not know, but I had heard him tell his wife that "Fred" had not got the plate done. He asked if it was Fred. Lancaster. I said I did not know, and he told me to ask Burnett the next time I saw him. He said he thought he knew Burnett, and asked me how much I had taken to Burnett, and what Burnett got a sheet for it. I replied I did not know, but that I thought he did not get any thing. I told him I had taken three sheets of "plain," five of "tens," and ten of "fifties," and that Burnett had taken them to London. When I next saw Burnett I asked who the man was to whom he took the paper, but he refused to tell me. Next morning I saw Brewer, and told him that Burnett had so refused. Brewer said if Burnett would not tell him he should find it out somehow. I told him Burnett wanted some more paper. Brewer said I was to get as much as Burnett wanted. After

that I took some more—twelve sheets of “plain,” from the same side of the machine where I had got the rest. I gave them to Burnett. I saw Brewer a day or two afterwards and told him I had done so. He said that was all right. I then told him I thought about going to London to get work. He said it was the best thing I could do. That was about the latter end of June, 1861. He said I was not to mention his name to Burnett as to getting paper. I saw Burnett, and told him I was going to London. He said I had better get some more paper before I left, as I could not get any more afterwards. I saw Brewer and told him that. He said I could please myself about taking more. I then got forty sheets of “plain,” and took them to Burnett. I left the mills a day or two afterwards, and came to London with Burnett and his wife. We stayed at Stratford, but not all in the same house. I remained in London about five weeks; I did not get any work, and lived with the Burnetts. I then returned to Laverstoke. I saw Brewer on my return, and he asked me why I had come back. I said I could not get work in London. He inquired what I was going to do. I said I should stop at home, and see if I could get any thing to do. I had come from London alone, leaving the Burnetts there. About six weeks before Christmas I was in the Prince Regent public-house at Whitechurch, and Brewer came in. He invited me to take a glass of brandy and water, which I did. He asked when I was going home. I said, “Directly.” It was then about ten or eleven o’clock at night. He said he was going home too, and that we might as well go together. Brewer went out first, and I followed him. We walked to Laverstoke together, a distance of about two miles. On the way he asked if I knew where Burnett was. I said I knew where his brother lived, and most likely I could find him. He said he wanted me to take some Bank paper to him. I said I did not know whether I could manage to go, being out of work. Next day I saw Brewer near the mill gates. He said I was not to take any notice of him then, and he would come up to the shop to me directly, meaning my father’s shop. I went, and Brewer came there about half an hour afterwards. Seeing my father in the shop, he asked for the loan of a saw. I lent him one, which he took away and returned in about half an hour. My father had then left. He explained that he had borrowed the saw because my father was there. He asked me if I had had any letter from Burnett about paper. I said I had not, and that I would give the thing up altogether. He said he wanted me to take some paper to London for him. I said I did not think I could do that, as father would want to know how I got the money to go. I thought of going to Portsmouth to my brother’s, and staying till Christmas. He said it was the best thing I could do, and that I could return to Laverstoke at Christmas, and pretend I had come to see my friends. He asked if I wanted any money to go with. I told him I did not. I went to Portsmouth, and returned about a fortnight after Christmas. I had seen Brewer by chance two or three times before going, and he always urged me to come back and see him at Christmas, but that I was not to take any notice of him when I returned. I arrived at Laverstoke about four o’clock in the afternoon, and met Brewer coming out of the mill gates. He said I was not to take any notice of him then, but to meet him at the Red House Tavern, at Whitechurch. I went to the Red House in the evening, and saw him. He went out. I followed him, and we walked together to Laverstoke. He asked me if I was sure I could find Burnett. I said most likely I could. He said I was to be sure and not say any thing to any one about him. He said he wanted me to take two parcels of paper,—one to Burnett, and one to a woman in black, whom I should meet at the

Waterloo railway station. He said I was to stand on the platform until she came up to me, and that he would write in the mean time and tell her what sort of a chap I was. He said she would be wearing a hat. He asked when I thought of going. I replied, the next day. He said I had better wait until the day following, in order that he might write to her. I waited accordingly. He gave me two parcels,—one for the woman, and one for Burnett. I opened the parcels on the way, and found 100 sheets of “plain” Bank paper in the one I was to give to the woman, and in the other 100 sheets of “fives” and 76 sheets of “tens.” He told me I had better go by the Parliamentary train, and the woman would meet me. I went by that train. On arriving at the Waterloo station a woman in black came to me on the platform, and asked if I had got any thing for her; I said I had, and gave her one of the parcels. She gave me half-a-crown, to drink. I found out where Burnett was; I took the other parcel to him. He gave me 3*l.*, saying I was to give 2*l.* to Brewer and pay my own expenses with the remainder. I stayed in London two days, and then went to Portsmouth. When I was there Burnett came down two or three times. I stayed at Portsmouth until a fortnight after Easter, and then came to London to see Burnett. After I had been there about a week he asked me to go and see Brewer, and try to get some more paper from him. I agreed to go, and went. He gave me some money to go—I can’t say how much. I saw Brewer at Laverstoke the same afternoon I arrived there. He told me to go down the lane, and he would come to me. I did so, and he came and asked why I had returned. I told him Burnett had sent me for more paper. He replied, “All right; come to my house to-morrow night,” adding, that he wanted me to take a key to London and try and get one made like it. The key produced is exactly like it. He said he thought Burnett knew who could make one. I saw him at his house next night, when he gave me two parcels, one for Burnett and the other for “the woman in black,” to whom I had taken the other. He told me they contained paper, but did not say how much. I went to Portsmouth first, and from there to London. Brewer told me to go up to London on the Tuesday, and he would in the mean time write to the woman. I was to go again, he said, by the Parliamentary train. At the Waterloo station I found the woman, and gave her one of the parcels, and took the other to Burnett, with the key. I stopped at Burnett’s house. While in London I went with Burnett to the top of Strutton-ground, Westminster. He left me there and went in the direction of the prisoner Buncher’s house, though I did not see him go into the house. I had previously given the key to Burnett, and I know he had Bank paper with him when he went there. On leaving in the morning he had not much money, for he told me so, but on his return to me at Strutton-ground he had plenty. We went several times to Strutton-ground. On the next occasion I stayed at a public-house. I did not see where he went to. He had paper with him at that time. He supplied me with money while I was in London. On the third occasion we entered Strutton-ground by a different way, and I again stayed at a public-house until he came back. He had paper with him then. I cannot say how many times I went to Strutton-ground with him. On one occasion he went into a butcher’s shop kept by Buncher, and remained about half an hour. After that he returned me the key I had given him. He said he wanted me to go down to see Brewer again, but that I had better go to Portsmouth first and pretend to my friends at Laverstoke that I had been working at the Isle of Wight. That was about a month before the reward came out, which was on the 16th of August. I went to Portsmouth. Burnett gave me 6*l.* to take to

Brewer, and 3*l*. for myself. He also gave me the key. I stayed at Portsmouth one day, and then went to Laverstoke. On arriving there I saw Brewer coming out of the mill yard, and I gave him the key and said Burnett had taken an impression of it and would get another key made. I also gave the money. He said that was all right, but that he could not get any more paper unless I stayed a fortnight. He said I had better go away again and come back on Sunday week, and manage to arrive at his house late at night. I went to London and returned on the Sunday week. I left the train at Basingstoke, and thence I went to Overton by train, arriving there about eight o'clock in the evening. There I stayed until about ten o'clock, and then left to walk to Laverstoke, a distance of two miles. Burnett had come with me from London, but he went on to Whitchurch without stopping at Basingstoke. On the way to Overton I was joined by William Litchfield, who accompanied me part of the road. When I got to Laverstoke I went to Brewer's house. He said I had better stay there until the next night. I did so. I had never slept at his house before. My father lives close by. Next morning, about eight or nine o'clock, Brewer gave me two parcels of Bank paper, telling me to go by the Parliamentary train and to give one to the woman and the other to Burnett. I was not, however, to go until the next day. At dinner-time, Brewer said I had better go to Basingstoke that night and go to London in the morning. He wished to write to the woman in the mean time. He said I was not to come down any more, for he would be suspected if I did. After dinner, Brewer returned to work, and I left for Basingstoke about three in the afternoon. On the road to Whitchurch I was joined by a man named James Rennans. I slept at Basingstoke that night, and went up to London next morning. I always carried the parcels in a black bag, which I had brought from London. I met "the woman in black" at the Waterloo station; but I told her I had not got any parcel for her, and she went away. I took both parcels to Burnett's. I found he had not returned from Whitchurch; but he came next day. The parcels I gave him contained plain and rupee paper, and there were also some "fives" and "tens." Burnett, on his return, said he had seen Brewer, and that I must not go down any more, lest we should be found out. I stayed at Burnett's, and next morning I went with him to Strutton-ground. He gave me some Bank paper to carry, for fear, he said, any one should "collar" him. He went on before, and I followed. On reaching Strutton-ground I gave him the paper, and then saw him take it to Buncher's shop, where he stayed about half an hour. He had no paper when he returned. Before going there he had but little money, but when he came back he had "a tidy lot." I remember the Bank reward coming out. Burnett then said, I had better go away somewhere until the affair had blown over. He said he had got the other key, but did not show it to me. I went to Portsmouth, Burnett supplying me with money.

Cross-examined by Serjeant Ballantine.—My father has been carpenter at Laverstoke mills nearly all his life. I assisted in the mills and had 18*s*. a week. I gave no security. I lived with my father and mother at Laverstoke. When the mills were open I had access to them at all times. In the place where I stole the paper there were only two women, who attended the machine. Mrs. Burnett first suggested to me to take paper, and I did so about a month afterwards. I don't know how much I made by the business—it might be about 20*l*., from first to last, not more. I knew I was getting the paper for purposes of forging. Burnett explained it all to me. The "plain" paper so-called might be used



for any kind of note, from 1000*l.* downwards. I took 300 or 400 sheets of plain paper from first to last. Each sheet contained two notes. Brewer only received 9*l.* from Burnett, through me. It became necessary to get Brewer to steal the paper after I had left the mills, which was in June, 1861. I knew about the reward the day after it came out. I did not communicate with the Bank authorities until about six weeks afterwards. I was then working at Westminster. I kept out of the way for a few days after the reward appeared, and stayed at the house of a man named Kidd. I did not see Burnett at that time, he had gone into the country. About six weeks after the reward came out, Webb, the detective officer, came to me while I was staying at Kidd's house, and said he wanted to see me about the Bank robbery. I went with him to the chief police-office in the Old Jewry. I went there again and saw Inspector Hamilton and told him part of the story I have told to-day, and part to Smith—another officer. I made a clean breast of it. I am now under the care of the police. I have not been living with a woman. A girl I had kept company with at Portsmouth had stayed in my father's house when I was there. I took her from Portsmouth about a month before the reward came out. [The witness was pressed by the learned counsel as to whether he had not cohabited with the young woman in question while she stayed with his father and mother. His answers were very confused, leaving the impression that he did not understand the meaning of the word "cohabit" in the ordinary sense, and the point was never satisfactorily cleared up, even though the learned judge sought to elucidate it by questioning him. The witness, in reply to Serjeant Ballantine, said the woman wore a black hat and a black dress and shawl.] The mills (he continued to say) closed about five o'clock, the workmen leaving at four. It was the duty of Mr. Shenton Dusautoy to see that the premises were closed. Neither my father nor I could get into the mills after they were closed. He had a key for his shop, but that did not open the mills. No paper was left in the machine overnight. On being taken out of the machine it was put into a room by a man named Marshman. The room was locked overnight. I had come from London on the night I slept at Brewer's house. I left the next day at three o'clock. I know a place called Freefolk-bridge, about 300 yards from Brewer's house. I did not meet my mother there, nor cross some fields with her on that occasion. I don't recollect crossing some fields about that time with my mother when she was crying.

In reply to Mr. Bovill, witness said the woman of whom he had spoken in his cross-examination was not the one he had met at the Waterloo station.

Ellen Mills was next called and examined by Mr. Giffard. She said,—I have been living for some years with the prisoner Burnett as his wife. I first became acquainted with Henry Brown in April, 1861, at the Plough, in Whitchurch. I met him also at the house of my sister, who keeps the Three Horse-shoes there. In April I spoke to him by Burnett's direction about getting paper from the mills, and I remember his bringing some. It was plain paper, and I afterwards gave it to Burnett. After that Burnett and I went to London, and stayed at a house in Milton-crescent, Euston-square. He went out once or twice, and on his return he brought money back with him. I cannot say how much. On returning to Whitchurch we saw Brown again, both at the Plough and the Three Horse-shoes. About a fortnight or three weeks after we returned Brown brought some more paper, and then we all three came up to London. We stayed on that occasion at a public-house in Drury-lane two nights and a day. The day before returning to Whitchurch Burnett gave Brown 2*l.* On our second return to Whitchurch I saw Brown repeatedly. I remember him asking Burnett on one

occasion if the name of the man to whom he was giving the paper was Lancaster, saying Brewer wished to know. Burnett refused to tell him. I recollect Brown leaving Laverstoke. He brought more paper before he left, but I cannot say how much. On the day of the fire in Tooley-street Burnett and I came up to London and went to the house of Burnett's brother in Stratford, the Railway Hotel. Brown came to us there and stayed a few nights, but afterwards lodged in the neighbourhood. We stayed in London six weeks, and then returned to Whitchurch. That would be about October, 1861. On coming to London I remember Brown coming to our lodgings in Long's-court, Leicester-square, just after Christmas. I accompanied him to the Victoria Theatre in search of Burnett. We all three went to a public-house, and then returned home. Brown, who had brought some of the Bank paper with him, stayed at our house that night, and went out with Burnett the next day. I understood Burnett took some of the paper out with him. He had money when he came back. I recollect Burnett leaving home in 1862, saying he was going to Portsmouth to see Brown. I afterwards accompanied Burnett to Portsmouth in March, 1862, and saw Brown there. Shortly after Easter last Brown brought a parcel of paper to us in London. Burnett afterwards took some of it out with him, and brought back a joint of meat. I myself went with Burnett to Strutton-ground in August, to a butcher's shop, kept by the prisoner Buncher. Burnett took some of the paper with him. Several times after that I took paper to Buncher's house. We then lived in Angel-place, Lambeth. When I went with Burnett I remained in the shop while he went into a back room with Buncher and his wife. Burnett always brought away money with him, but not the paper. When I took paper I gave it to Buncher's wife. That was about the latter end of August. She gave me money, but I cannot say how much. I never had any dealings with Buncher when I took paper. On one occasion he asked me when "Bill" (meaning Burnett) was going to send him some more paper. I have brought both meat and money away from Buncher's house when I have taken paper. I recollect Brown coming to our house in Angel-place with a black bag, and Burnett and he leaving together on a Sunday, but I cannot say how long ago.

In reply to Serjeant Ballantine, witness said when she first asked Brown to get some paper, he hesitated at first, but in about a week afterwards he consented.

By Mr. Pater.—Mrs. Buncher was the only person to whom I gave Bank-note paper, and who gave me money. On several occasions Buncher came into the room while I was speaking to his wife. After the business was over she brought him into the room. I have known Burnett ten years. I was convicted with him and sentenced to four years' penal servitude. We came out of prison on the same day. That was in February, 1861, and we first saw Brown in April of that year. I have gone by the names of Burnett, Williams, and Day. I had also been convicted in 1854. That was for being in company with a person who stole a watch. A policeman named James Sankey was convicted with me. I was then imprisoned for a year, and on coming out of gaol I again joined Burnett. I was taken into custody on this charge; I volunteered to the authorities to give evidence, and was released. I am now living under the care of the police. I have not quarrelled with Burnett. I came here merely to speak the truth. I have had no hope held out to me that his sentence may be lightened by my giving evidence.

By Sir F. Kelly.—Burnett himself has gone by the name of Bill Day, and that was why I was called Day. When I took any thing to Buncher's shop it was

invariably Bank paper. I gave it to his wife, and I saw Buncher himself several times.

John Stanley, a bricklayer at Birmingham, and an occasional waiter at the Robin Hood public-house there, spoke to seeing Griffiths and Buncher at the house on two occasions in August last.

John Moss said,—I am a detective police officer, and have been engaged in making inquiries in this matter for some time past. From information and instructions I had received I went to the lodgings of a Mr. and Mrs. Campbell, at 13, North Kent-terrace, New-cross, on Saturday, the 6th of September last, about five o'clock in the morning, accompanied by South and Baker, two other police officers. We went first into the front parlour and removed two bricks from the partition wall, separating it from a back parlour, and leaving a light picture over the hole. We then went into the back parlour, and remained there secreted for some time. We could hear distinctly what passed in the front parlour. About half-past one o'clock in the day, from what Mrs. Campbell said to me, I went upstairs to a back room, and, looking out of the window, saw the prisoner Buncher and another man. I then went into the back parlour. I first heard a knock at the street door, which was answered by a Mrs. Clift, the landlady of the house. Buncher inquired if Mrs. Campbell was in. The answer was "Yes," and Mrs. Campbell was called downstairs. Buncher said, "Good day; are you now prepared?" She said she was. "How much?" said he. Mrs. Campbell replied, "Fifty." He said, "That is no good; I want 200*l.*, as promised on Wednesday last." She said she could not lay out more than that the first time, and besides she did not know whether she could get rid of "them." She asked how many he had got. Buncher said ten "fifties." Mrs. Campbell asked if he had got any gold. He said, "Not to-day; but let me see the money first. Business is business. I want 200*l.*, as promised at the beginning of the week." Mrs. Campbell said she could not spare so much. Buncher asked her to let him see what she had, adding that he had plenty of "tens" and "fives," and would go and fetch them. He went out. The other man was not present at that time. Buncher returned in about ten minutes, and by that time the husband of Mrs. Campbell had joined her in the room. The other men came in afterwards. Buncher, addressing Campbell, said, "Now, the stuff." Campbell said his wife had it upstairs. Buncher then became very violent, made a great deal of noise, and said they were playing the fool with him. I don't believe the Campbells produced any money. The other man came in, and said to Buncher, "Come away, George; don't make a fool of yourself." Buncher, addressing Mrs. Campbell, said, "Now, the stuff, you little humbug. You are playing the fool with us. It is not very likely we are going to part with the things till we get the money. You take me to be a — fool, but you were never more mistaken in your life, you little —. Once for all, you know there is 1500*l.* reward out for me. I am the — man that has got all the Bank paper; I have 30,000*l.* now, and the Bank of England cannot stop it." Campbell asked to see the notes, and he would get the money. Buncher replied, "It's not very likely; we don't do business in that way;" confirming what he said with imprecations. He continued to ask for the money, and from what I could hear I believe Campbell showed him a little money. Buncher said, "That's no good; I've brought this man from the country. I've lost all this day (Saturday); if I had been at home at my shop I should have earned 3*l.* or 4*l.* Pay our expenses." He was so violent that the other man came in and said, "Come along, George."

Sir F. Kelly.—Did the Campbells give him any money or not?

Witness.—They did not, and the other man at length induced him to go away. Buncher said, "If you won't give me the money, lend me two sovereigns." The other man said, "Come along; I'll lend you two sovereigns." On Monday, the 27th of October, I apprehended Buncher outside his house, 38, Strutton-ground, Westminster, where he kept a butcher's shop. On the 7th of November, when he was examined at the Mansion House police-court, and when I had given evidence resulting in his being again remanded, he called me to him in his cell. He said, "Moss, I took you to be a different man." I asked what he meant. He said, "You have stated quite as much as I said, and I think a little more." I said I thought I had given a correct version.

By Mr. Pater.—On the 27th of October, when I searched Buncher's house, every facility was given me for that purpose. I made a thorough search, but found nothing. I believe no notes were seen during the conversation at North Kent-terrace, but I cannot say.

William Smith, a detective police officer, who had accompanied the previous witness, Moss, to 13, North Kent-terrace, New-cross, was called, and corroborated his statement as to making the hole in the partition wall, and hearing what took place between the Campbells and Buncher, whom he said he knew by his voice.

Edwin Mark Wimhurst, examined by Sir F. Kelly.—I am a waiter at the Admiral Napier public-house, in Amersham-vale, New-cross, and was there in September last. I know the prisoner Buncher by sight. I first saw him at the Admiral Napier on the morning of Wednesday, the 3rd of September. While he was there Mr. Campbell sent for me to North Kent-terrace, and I went to him there. I had no conversation with Buncher. On Saturday, the 6th of September, about half-past one o'clock in the day, I saw Buncher go towards North Kent-terrace, accompanied by a young man. I afterwards saw them with Campbell going up Douglas-street towards Deptford. They returned in about twenty minutes, when Campbell left them, and went towards his house. Buncher and his companion came to the Admiral Napier and had some brandy. On leaving they went into the Napier-road, which leads to North Kent-terrace. There they separated, and the other man waited in the road. Buncher afterwards returned to him, and then I saw them both go into Campbell's house.

By Mr. Pater.—He had never seen Buncher before his attention was called to him by Campbell.

Johanna Brydges, the mother of the prisoner Burnett, said she remembered the witness Henry Brown coming to her house to ask for her son's address. She saw some Bank paper which he had. She gave him the address, but not at first. She recollected her son, Burnett, bringing her some keys on one occasion. The one produced is one of them. She kept it for some time, and then buried it in the garden. She afterwards gave it up to the police.

James Brown, a brother of the witness Henry Brown, and who is employed at a brewery in Portsmouth, remembered Henry coming there about a fortnight before Christmas, and staying with him about two months. Some time in March Burnett came there to see him (Henry Brown), and again a short time afterwards, taking his wife with him. Burnett and his wife left the same evening. Burnett came down again by himself about a week or a fortnight afterwards.

Daniel Chapman, the station-master at Overton, spoke to seeing Henry Brown come there on a Sunday afternoon in July last—he believed the 13th—from Basingstoke by train. He carried a black oil-cloth bag and a great coat.



He was the worse for liquor, and several boys who were in the station-yard laughed at him.

William Dodd, a porter at the Overton station, gave corroborative evidence as to Brown being there on Sunday, the 13th of July, and as to his coming from Basingstoke by a train which was due at Overton at thirty-eight minutes past seven in the evening. Brown, he said, was very drunk. Witness saw him the next day at the Overton station in a train going towards London.

David Treacher, a carpenter at Overton, and his wife both spoke to seeing Henry Brown on the Sunday evening, the 13th of July, between eight and nine o'clock, going towards Laverstoke, accompanied by a young man named William Litchfield.

William Litchfield, a bricklayer's labourer, remembered seeing Brown between eight and nine on a Sunday evening last July on the outskirts of Overton, and going with him part of the way to Laverstoke. Brown had a black, shiny bag, which he threw at a man who was passing. Witness picked up the bag, and as he did so saw there was only two shirt collars in it. Brown was the worse for liquor.

George Smith, a carpenter, residing at Overton, said he formerly worked in the Laverstoke mills—first in 1860, and again in 1862. He knew Henry Brown very well, and also the prisoner Brewer. He remembered the evening of Sunday, the 13th of July. He had been at the Independent Chapel, Overton, which he left about eight o'clock, and went towards Laverstoke with a Mrs. Litchfield, whom he had overtaken. Henry Brown and William Litchfield passed them on the way, going in the direction of Laverstoke. Brown appeared to be in liquor. Brown and Litchfield went over Rotten-hill, and as they descended the hill witness lost sight of them for about a quarter of an hour, but afterwards passed them at the foot of the hill, where they stood talking. They followed a little way, and then Litchfield left Brown, and returned towards Overton. Brown then passed witness and Mrs. Litchfield, and walked on before them in the direction of Laverstoke. They lost sight of him again at a stile near Laverstoke mill, where there is a small plantation. Witness and Mrs. Litchfield went on, but hearing no more footsteps they felt sure Brown could not have gone towards his father's house, which was close by. Witness accompanied Mrs. Litchfield to a place called Freefolk, where she lived, about ten minutes' walk beyond Laverstoke mill gate. He parted with her at her garden gate, and then returned towards Overton. He passed, as he was returning, first the mill gates, and then the corner of a lane leading up to Brewer's cottage, and that of his father. When about forty yards from the corner of the lane on the Freefolk side he saw Henry Brown about as far from the corner of the lane, and coming in the opposite direction from Overton. Witness saw Brown turn into the lane, and on witness reaching the corner he stopped to see where Brown was going. Brown stopped for a few minutes near a gate between the corner of the lane, and the prisoner (Brewer's) cottage. Witness saw Brewer come from the direction of his door and join Brown, and, after they had conversed for a few minutes, they both went into Brewer's house. Witness stood at the corner of the lane until they got within the door, and he then went on his way towards Overton. It was then about ten o'clock, or a few minutes after; for at a stile about 120 yards from Brewer's house he lighted his pipe, and as he did so took out his watch, which showed the time to be twelve minutes past ten.

Witness, in cross-examination, admitted he had been in gaol at Winchester

"about some tools." On being pressed on this point, he said he was accused of stealing the tools, and underwent a month's imprisonment. That was in 1855. He denied the suggestion that he had been charged with stealing timber at Penton belonging to Mr. Cubitt. He swore he had not been in the company of Brown's father within the last two months. He fixed the date of the 13th of July by having made a business memorandum on the next day as to the cutting up of some timber, and by having spoken to Henry Brown's brother that same day, which impressed the subject on his recollection. He gave as a reason for not speaking to Brown, when near the corner of the lane at Laverstoke, that Brown was "in beer," and he (witness) wanted to proceed homeward.

Jane Litchfield, who was employed in the mills at Laverstoke, corroborated the evidence of the witness Smith as to his having seen Henry Brown in the vicinity of the mills on the night of the 13th of July.

Susan Brown, the mother of Henry Brown, said she recollected a young girl having been brought to her house by her son, but added that she saw nothing that was inconsistent with propriety in her conduct while she remained there. She slept during the time not with her son, but with her daughter.

George Brown, the husband of the last witness, stated that his son Henry had not slept at his house on the night of the 13th of July.

On cross-examination he admitted that he had met the Burnetts frequently in 1861. It never struck him, however, that his son was doing any thing wrong in keeping up an acquaintance with them. He understood some short time after the acquaintance had commenced that Burnett and his wife had been convicted felons, but he nevertheless allowed them to come to his house and associate with his wife and daughters.

Mr. Shenton Dusautoy, brother of one of the partners of the Messrs. Portal, and foreman of the Laverstoke mills, was next examined, and said that William Brewer, brother of the prisoner Richard, was the chief mould-maker at the mills. Richard was employed there, and lived in the cottage, of which a model was furnished. Besides attending to the mould-office he had to inspect the moulds in use twice a day. There was a certain stage of the paper in process of manufacture called "water-leaf." There was another stage beyond that, in which it was "sized" but not "glazed." It happened that there was in the mills frequently a quantity of paper in the "water-leaf" and "sized" states. In 1862 the "water-leaf" paper was kept in one of the pack-rooms. The "sized" Bank-note paper in the dry state was kept in the same room. There were several thousand notes kept in the pack-rooms. On the 16th of July, 1862, after the discovery that some paper had been taken, the practice of keeping paper in them had been discontinued. On the 7th of July plain Bank of England paper was made at the mills. (The key produced by Webb, the detective officer, was then handed to the witness, which he said was a "master" key.) That key would open the doors giving admission to the pack-room. He heard that it had been lost. Remembered its being found about the 8th of September. Richard Brewer ought to have no key in connexion with the mills in his possession. After mill hours the doors were locked. After those hours Richard Brewer had sometimes made application to witness for his key. He had lent it to him on one occasion at the latter end of last year. The key was a "master" key, and would open every door. He went away with the key for about ten minutes, and brought it back again. When in the mould-office Brewer had asked permission to remain there on one occasion after the regular hours, but the answer of the witness had been that if Brewer remained there, he must remain also.

Rupee paper, he further stated, was never sent out in an "unsized" state, or Bank of England "sized" and not "glazed." In his experience there was sometimes a deficiency of paper owing to tear and wear of machinery, and other causes. In 1862, however, a larger deficiency had been discovered than could be accounted for by those causes.

Thomas Leaper, of the Hampshire constabulary, was called, and proved that he found the brass box referred to by Mr. Shenton Dusautoy in his evidence, in one of the work-rooms of the prisoner Brewer. In cross-examination by Mr. Keane, he said Brewer had a work-room in his house.

The case for the prosecution being closed,

Mr. Pater, addressing the learned judge, submitted there was no evidence to show that the particular 5*l.*-note forged on genuine paper, which was the subject of the indictment against the prisoners, was one of the notes received by the prisoner Buncher, assuming, for the sake of argument, that Buncher had received such notes.

Mr. Justice Blackburn said, although under the old law such an objection might have been tenable, by that of modern times it was all one whether a person accused in such a case was a principal or an accessory. There was evidence to go to the jury that a large quantity of the genuine Bank-note paper had been stolen, and that that paper, or some considerable part of it, came into the hands of Buncher, who took some paper of that kind to Birmingham to the prisoner Griffiths, with the intent that it should be forged, and afterwards uttered.

Mr. Pater contended that there was no evidence whatever that Buncher ever took paper to Griffiths.

His lordship said there was evidence that Buncher received a quantity of paper in the state in which it was stolen from the mill; that he went down to Griffiths at Birmingham about that time, and that Griffiths forged notes on genuine paper. There was no proof that any one else besides Buncher received any of the stolen paper from Burnett, but it was highly probable that paper of the kind in question might have got into the hands of other people. He could not therefore say that with respect to Buncher there was no evidence to go to the jury.

Mr. Ballantine addressed the jury for the prisoner Brewer in an able speech. He commented on the discrepancies which appeared in the evidence for the Crown, and on the damaged character of some of the witnesses who had appeared, and concluded by saying that if the prisoner Brewer had borne part in this robbery, and had so betrayed the trust reposed in him, let him be convicted, however melancholy it might be to think that a man in his position and of such intelligence should have fallen so low; but if he should be able to convince the jury by the testimony of witnesses who had known him from his childhood that he was a man of irreproachable life and character, it would be a grateful duty for them to send him back to the society of his friends and neighbours, from which he ought never to have been taken on the evidence of approvers and convicted felons.

Mr. Pater, who followed, rested the defence of the prisoner Buncher chiefly upon the argument that there was literally no evidence at all that the particular note which was the subject of the indictment had ever been in his possession, or that he had ever actually received any of the stolen paper. He complained, by the way, that there ran through the whole course of our criminal procedure a prejudice, unconfessed, indeed, but still palpable, against a man merely because

he was accused. No trained detective police officer, he said, was ever employed to track out and establish innocence, and yet society was as much interested in protecting the innocent as in punishing the guilty. He took occasion also to condemn the policy of rewards being offered by a great corporation like the Bank of England or by the State, which was little short of blood-money.

The Rev. William Mason Dudley, vicar of Whitechurch and rector of Laverstoke; the Rev. George Bulmer, formerly a Dissenting minister at Laverstoke; the Rev. Thomas Morris, Baptist minister at Whitechurch; Mr. William Chappel, Mr. James Nethercliff, Mr. Thomas Caygill, Mr. John Loder, Mr. Thomas Butler, and Mr. William Godwin, all residing in those neighbourhoods, were called, and bore testimony to the irreproachable character of the prisoner Brewer, all of them having known him intimately for years.

The prisoner Griffiths, on being asked by the learned judge if he had any thing to say in his defence, said he pleaded "Guilty" to printing the note, but not to uttering it. It was wrong, he added, for the Bank authorities to have instructed their counsel to say that he was the man who had printed all the forged notes on the Bank of England during the last sixteen or seventeen years, knowing, as they must have done, that some six years ago a man was taken with a number of plates for forging dates and numbers of Bank-notes in his possession.

Mr. Justice Blackburn summed up the case to the jury. The charge, he said, against all the four prisoners was that of forging a particular Bank-note and uttering it, knowing it to be forged. To that the prisoner Burnett had pleaded guilty. The prisoner Griffiths had pleaded guilty to forging the instrument, but had denied the uttering. The distinction was immaterial, though the jury would have to consider whether he was not guilty of the uttering as well as of the forgery. The case involved the charge of being possessed of Bank paper which had been stolen, and passing it from one to another with the intention that it should be eventually used for the purpose of forgery. If that was so, Griffiths would be an accessory before the fact to the uttering, and being so, he would be liable to conviction under the particular form in which the indictment was framed. Brewer was accused of stealing Bank paper, but the jury would have to say not only whether he was guilty of that, but whether that particular note had formed part of the paper alleged to have been stolen. So, again, with respect to Buncher, the case against him was that he received a large quantity of Bank paper for the purpose of getting it forged, and that he sent or took it to the prisoner Griffiths to be so used. If they were satisfied that that particular piece of paper passed through Buncher's hands, he would be an accessory before the fact. The *maximum* punishment which the law awarded for larceny was very much lighter than that attached to the crime of forgery; and so the punishment for being in the possession of Bank paper, though severe, was very much less than that which followed a conviction for forgery. According to Henry Brown, supposing he had spoken the truth, he had stolen a good deal of paper before Brewer was alleged to have become a party to the robbery of paper, but no 5*l.* paper, and to that denomination the particular note in question belonged. In the first instance Brown said the paper was taken direct by him to Burnett, by whom it was sent away to be forged; and there was the further evidence of Brown and the woman Mills that considerable quantities of the stolen 5*l.* paper were taken to Buncher's house. Again, there was proof that Buncher was at Birmingham, and in the company of Griffiths, and that on the 27th of October the detective officers seized Griffiths in the very



act of printing notes. They also found in his possession a quantity of that very 5*l.* paper which had been stolen from the mills after it had been "sized," but before it had been "glazed." Then they had the evidence of Mr. Murfill, the inspector of bank-notes, who said that upwards of thirty 5*l.*-notes forged on genuine paper had been presented at the Bank since July last; that they were all on paper which had been "sized," but not "glazed," and had all been printed on plates found in the possession of the prisoner Griffiths. That would be reasonable and probable evidence that this particular 5*l.*-note had come from the prisoner Griffiths, but by no means conclusive evidence. If they believed that Brewer stole the paper, and handed it over that it might be forged, he would be guilty of forging and uttering this particular note, as an accessory before the fact; and if they believed that Griffiths forged the note, he was also an accessory before the fact as to the uttering. With respect to the testimony of accomplices, in the olden times the practice was to call that Queen's evidence, and, on that ground, to treat it with a degree of respect which led to great abuse. There was an extreme temptation to an accomplice to exaggerate the circumstances, and to do what was called in the old books "turning the fat in the pan," or to tell the story truly enough, except as to the part which the witness himself took in the transactions. Considering the great abuses which formerly arose from the respect paid to Queen's evidence, it had been established as a rule of practice and of policy with the judges, for the last century, at all events, not merely that the evidence of accomplices should be regarded with extreme doubt and jealousy, but to go further, and say that a jury ought not to convict on the evidence of an accomplice even if they were to believe it, unless there was a corroboration of independent testimony. If in this case the jury thought the evidence of the accomplices stood uncorroborated, he should think it his duty to tell them to acquit, and throw the responsibility upon him; for, although that was not the law, it had acquired by long usage all the sanction of law. He reminded them that one accomplice was not corroborated by another accomplice. Looking at the evidence, then, of the accomplices, and remembering that the jury were not to act on uncorroborated testimony, he asked them if they thought, taking the whole case together, the evidence was such, and the corroboration was so material, that they could safely convict? With respect to rewards, the learned judge remarked, in passing, that one of the serious objections to offering large rewards was not merely the probability of their inducing people to give false testimony, but that every body coming forward to give evidence was liable to the imputation of being influenced by them. His lordship then proceeded to read the evidence, commenting on it as he went on, and leaving it to the jury to say whether it was, in their judgment, sufficient to justify them in convicting any or all of the prisoners of the offence with which they stood charged.

The jury then retired to consider their verdict, and after an absence of forty minutes returned into court, when the foreman announced the verdict to be one of "Guilty" in the case of the prisoners Buncher and Griffiths, and of "Acquittal" in the case of Brewer. The fourth prisoner, Burnett, had at the outset of the trial pleaded "Guilty."

Mr. Justice Blackburn said he would postpone for a short time passing sentence upon those who had been convicted.

Robert Cummings was then placed in the dock, on a charge of having feloniously, and without lawful authority or excuse, on the 27th of October last, one hundred sheets of paper, with the words "Bank of England" visible upon them, in his

possession, and with the water-mark and curved lines which characterized the paper manufactured for the use of the Bank. The prisoner had been connected with Burnett, Buncher, and the others; but it was deemed expedient that he should be tried apart from them, and upon a distinct indictment.

The prosecution was conducted, as in the previous case, by Sir F. Kelly, Mr. Bovill, Mr. Giffard, and Mr. Mathews. The prisoner was defended by Mr. E. T. Smith.

Sir F. Kelly, in opening the case, explained that the possession of the paper of which Bank of England notes were made without lawful authority or excuse had long been held by the law to be a grave offence, and of that offence he thought he should be able to show the prisoner at the bar was guilty. The learned gentleman then proceeded to detail the circumstances on which he relied on the part of the prosecution, observing that he should call Henry Brown (the chief witness in the last case), who would tell the jury that he had handed over to a man named Burnett (the prisoner who pleaded "Guilty" in the previous case) several sheets of genuine Bank of England note paper, which he had stolen from the mills of the Messrs. Portal, at Laverstoke, in which he was employed. He should further be able to show that Burnett had applied to a man named Aubrey, with whom he was acquainted, with the view of procuring the aid of some person through whose agency the paper might be duly printed, and that Aubrey had introduced him to the prisoner at the bar, who, having seen some of the paper, had suggested that it might be printed if they were to go down to Birmingham. He should further be able to prove that Burnett and the prisoner were, immediately after they became acquainted, and about the time at which the stolen notes were forged, found to have met several times in Birmingham, and that, coupled with the other evidence which he would lay before them, would, he thought, leave very little doubt on the minds of the jury of the purpose for which these meetings took place.

Henry Brown was then called, and repeated to a great extent the evidence which he had given on the previous trial, admitting that he had handed over to Burnett several sheets of Bank of England note paper, which he had stolen from the Laverstoke mills.

William Aubrey, the next witness, deposed to having known Burnett under the name of Day, to having been at his house in August last, and to having seen him subsequently in possession of two 5*l*. Bank-notes, forming one sheet, on which the words "Bank of England" were visible. He added that in consequence of what Burnett had said to him he had introduced him to the prisoner Cummings, to whom he gave the sheet of paper which he had received from the former. Cummings looked at the paper, and in reply to witness, who asked him if he knew any body who could print it, suggested that it should be taken down to Birmingham. It was finally arranged that they should start for Birmingham on the following Saturday morning by the cheap train. In pursuance of that arrangement he (Cummings) and Burnett met in Wellington-street, Strand, on the morning appointed, but fortunately for him they found that the train they wanted would not start before evening. They then separated, but met again subsequently in Wellington-street, at a public-house on the same side as the Lyceum Theatre. Besides the two notes he had mentioned he had handed Cummings a roll of paper. Burnett had given him the paper to give to Cummings.

Cross-examined.—First knew Cummings about seven years ago. When he showed him the paper he took it in his hand and held it up. Did not know

whether the prisoner was in the habit of wearing spectacles, or whether he had any on at the time. After he gave Cummings the paper he handed it, he believed, back to him again, and he returned it to Burnett. The paper was in Cummings's hand about three or four minutes. He had given a roll of paper on the evening they were about to start for Birmingham.

On being re-examined the witness said he had not known Burnett by that name until within the last four months.

Ellen Mills, the woman who passed as Burnett's wife, and who also was examined in the previous case, deposed to having seen the prisoner, who had called at the house in which she and Burnett were residing in London, subsequently to his introduction by Aubrey to the latter. Cummings on that occasion had asked for a man named Johnson, whom she understood to be the same as Burnett. She had also seen Cummings once afterwards.

Henry Webb, detective officer, proved that he went to the house of James Griffiths on the 17th of October, and had found there several forged notes, as well as apparatus used in printing them.

This testimony having been corroborated by two members of the Birmingham detective force, evidence was adduced to show that the forged notes printed on genuine paper which had, some months ago, been presented at the Bank of England, must have been printed on the plates found in Griffiths's possession.

Several witnesses were then called, who gave testimony to the effect that Burnett and Cummings had been seen frequently together in Birmingham in August last.

This closed the case for the prosecution.

Mr. E. T. Smith was about to address the jury for the defence, but

The learned Judge interposed, and said that the evidence which had been adduced in corroboration of the testimony of the two witnesses who stood in the position of approvers, Henry Brown and Aubrey, did not seem to him to be sufficiently strong to justify the conclusion that Cummings was in Birmingham for an unlawful purpose. If it could be shown that he had gone to Griffiths's house, the matter would be different; but as the case stood, in accordance with the principle of law which was opposed to the conviction of a man without confirmatory evidence, upon the testimony of persons who happened to turn what was called "King's evidence," and who had many inducements to endeavour to throw the burden of their own guilt upon others, he should deem it to be his duty to direct the acquittal of the prisoner, and he did so entirely on his own responsibility.

After some argument on the point,

The jury, under the direction of the learned judge, *Acquitted* the prisoner. His lordship, however, said he would not discharge him until it was ascertained what course the learned counsel for the prosecution proposed to take with reference to any further indictment, observing at the same time that the prisoner had a very lucky escape, and that he had no moral doubt of his guilt.

The next day Robert Cummings was arraigned upon other indictments, to which he pleaded "Not Guilty."

Sir Fitzroy Kelly, addressing the Court, said he had had a conference with the gentlemen instructing him on behalf of the Bank of England, and he was bound to admit, after the great exertions which they had made, with the assistance of the police, that though it was possible here and there to add to the weight of evidence laid before the Court on the previous day, his clients were

not in a position to carry the case against the prisoner beyond the rule of law which his lordship laid down, and to which he (Sir F. Kelly) implicitly bowed,—that one accomplice confirming another was not enough, in the absence of independent testimony of a corroborative kind. That being so, and especially after this case had been deferred from the December Sessions, the advisers of the Bank felt that they ought not to ask his lordship for any further postponement. They therefore withdrew from the prosecution.

The learned judge thought the course they had taken was a discreet one, and directed the prisoner to be discharged.

The four men who had been convicted being then placed at the bar for sentence, Mr. Justice Blackburn, addressing the prisoners, said,—You have been convicted of the several offences with which you were charged—Burnett and Williams on their own confession, and Griffiths also on his own confession as to part of the indictment, and by the jury as to the rest. The crime of which three of you have been convicted is that of forging and uttering a Bank of England note, under circumstances which differ as to the part which each bore in the transaction, but any of which constitutes an offence of great magnitude. In your case, Griffiths, it is in evidence that for a considerable number of years you have been engaged at a regular trade in forging bank-notes. You have been, though that does not appear to have been quite made out, almost the only person possessed of sufficient skill to execute a forgery of a bank-note in such a way as to deceive an ordinary person in the community, but, until bank-note paper was stolen and used for that purpose, not in such a manner as to deceive any one with a competent knowledge of the matter. You seem to have pursued that course deliberately and systematically for a considerable time, and you must have talents and skill which, if they had been employed in an honest trade, would have brought you a much greater amount of emolument than the prostitution of them for an unlawful purpose; but you were at length detected, and you are here to answer for your crime. Your conduct is aggravated by the circumstance that in this particular case you were guilty of the offence charged, knowing, from your use of the actual genuine paper in the forgery, that that genuine paper had been stolen. You must have known also that the effect of putting forged notes into circulation would be, not only to cause very heavy losses to innocent persons, but also to expose them to the danger of conviction. It may sometimes have been that, when forged notes came into the hands of an innocent person, that innocent person has been tempted to get rid of them, thinking he was doing little harm, and has afterwards been convicted, though wholly guiltless of the actual forgery. The crime of which you have been convicted is one of the greatest magnitude. It was formerly, as you probably know, a capital offence, and although it is no longer so, it is visited with the greatest punishment known to the law short of death. Taking all the circumstances into consideration, I cannot bring myself to think that, short of a capital offence, there can be a greater crime than that of which you have been guilty, and the sentence I have to pass upon you, and which is the highest known to the law, is, that you be kept in penal servitude for the remainder of your natural life. Buncher, your case is one shade, and only one shade, less bad than that of Griffiths. It appears in evidence that you, a person in the possession of rather more means than the rest, have for a considerable time acted as the agent in passing off forged bank-notes. In this particular instance you had received the stolen paper, and by your connexion with Griffiths and your command of money and means had endeavoured, and successfully endeavoured, to dispose



of it for the purpose of forgery. I had considerable doubt, in looking at your case, whether I ought not to pass the full sentence prescribed by law; but your crime, as I have said, is one shade less aggravated than that of Griffiths; and, that being so, I consign you to a term of penal servitude which, at your age, will nearly be tantamount to your natural life—namely, for twenty-five years. Burnett, you have, upon your own confession, been guilty of these forgeries, and your case is a very bad one, but it is a degree less serious than that of the prisoner Buncher. You had been previously convicted of felony, and had completed the term of your punishment in penal servitude. I notice, in passing, the circumstance of your not having been released before the expiration of your sentence, though it does not bear on the immediate subject in hand. Shortly afterwards you were found visiting the neighbourhood of Laverstoke and inciting one Henry Brown, employed at the mills there, to steal, either by himself or with the aid of others, Bank paper, which you then brought to London from time to time and caused to be passed to other persons. The offence of which you have been convicted on your own confession is that of receiving the paper with a guilty knowledge. That is an offence which in itself, after a previous conviction, is punishable by penal servitude, but not for so long a term as that which I have felt bound to award for the crime of forging and uttering. Believing you to be one degree less guilty than Buncher, the sentence I have to pass on you is that you be kept in penal servitude for twenty years. Williams, you pleaded guilty yesterday before the Recorder to an offence connected with this crime of forgery, but a minor offence. You are convicted on your own confession of preparing and engraving some of the plates with which Griffiths no doubt consummated the crime. You are represented to be a working man skilled in engraving, and who had on this occasion and several others been induced to execute these engravings; but you had probably no further part in forging and uttering the notes. The offence of making such engravings is punishable with penal servitude for fourteen years as the *maximum*, and that is a punishment which in some cases would not be too great, but, taking the circumstances into account, I do not feel myself bound to pass so high a sentence. It is, however, a crime that must be punished by a severe retribution. You must have known when you were engraving those plates that you were doing it for a person who intended to commit the crime of forgery, and it is lamentable to think that you, who were engaged in an honest trade, should for a moment have been diverted from its legitimate pursuit. In your case I think the ends of justice will be satisfied by my directing you to be kept in penal servitude for four years, and I do so accordingly.

The convicts were then removed from the bar.

The learned Judge, addressing Cummings, whom he had directed to be brought before him, said,—You have been acquitted on a technical ground, and I call you forward merely to explain, partly for your own sake, and partly for the sake of others, why you were discharged. By a rule of practice which, from long usage, has almost acquired the force of law, it is not a right or proper thing that any person should ever be convicted on the evidence of an accomplice, unless it is corroborated by independent testimony. For want of such corroboration you escape; but whatever be the effect of that, it is of infinitely more consequence that the administration of the criminal law should be kept pure, and that the great evils which would result from any one being convicted on the evidence of an accomplice alone should be avoided. I have therefore directed your acquittal, and you will be now discharged; but I wish you and all others

to take warning from the history of this case, that if these crimes are committed, it is impossible that they can long be continued without the detection and punishment of the persons who embark in them; for, as soon as suspicion is awakened and inquiry set on foot, there will always be a certain amount of treachery among those implicated in them, and the treacherous associates who betray the rest are probably themselves the greatest villains. I say this partly for your warning, and partly for that of others. You will now be discharged, but should you resume those courses afterwards you will soon be detected, and this affair will be remembered against you.

Cummings then left the bar, and this remarkable trial, which had occupied four days, was brought to a conclusion.

## V.

### THE DERBYSHIRE MURDER.

#### THE QUEEN *v.* GEORGE VICTOR TOWNLEY.

This case, which, both from the circumstances of the crime, the defence set up for the prisoner, and the legal and other questions which arose subsequent to his conviction and sentence, excited an unusual degree of interest in the public mind, and led to much controversy and discussion, came on for trial at the Winter Assize for the county of Derby, the court being unusually crowded, and the proceedings watched with the greatest anxiety.

Mr. Boden, Q.C. (specially retained), and Mr. Bristowe appeared for the prosecution; and Mr. Macaulay, Q.C., and Mr. Serjeant O'Brien (both of whom were specially retained), with Mr. Stephen, defended the prisoner.

The prisoner, who was described as a man of very quiet and refined manners, a good linguist, and an accomplished musician, and who was apparently about twenty-five years of age, pleaded "Not Guilty."

Mr. Boden, in opening the case for the prosecution, stated that the prisoner was a member of a respectable family living at Hendham-vale, a mile or two from Manchester. His father was a commission agent at Manchester, but the prisoner had no employment, unless it was that he acted as a clerk in his father's office. Miss Elizabeth Goodwin, with whose death he was charged, was the daughter of Mr. Henry Goodwin, and granddaughter of Captain Goodwin, who had long lived in the county and acted as a magistrate there. Mrs. Henry Goodwin lived at Chester, and up to the last three or four years Miss Goodwin had lived with her mother, but about that time she left Chester and went to reside at Wigwell Grange with her grandfather, an old man upwards of eighty years of age. Miss Goodwin herself was very nearly twenty-three years of age. Captain Goodwin's eldest son was a physician at Manchester, and Miss Goodwin while on a visit to him had formed the acquaintance of the Townleys. That acquaintance led to the forming of a strong attachment between the prisoner and the deceased, and ultimately, about four years ago, they became engaged. Owing to Townley's want of means to support a wife the engagement was not approved by the lady's friends, and for some short time it was broken off. It had been renewed, however, shortly afterwards, and continued to exist to within a short time of her death. Miss Goodwin appeared to have written to the prisoner on the 14th of August to break off the engagement. Her letters, however, had, with one exception, been given up by Townley

to her friends, who destroyed them. On the 16th of August Townley wrote to Miss Goodwin as follows:—

“Hendham-vale, Sunday.

“My dearest Bessie,—Dearest you will always be to me; to say that I am not terribly cut up would be a lie, but, at any rate, you know I am not the man to stand in your way. I answer nothing to your last letter, except that I wish to hear from your own lips what your wishes are, and I will accede to them. You know me too well to suppose that I should give way to any unnecessary nonsense or sentimentalism. I have had a singular run of good and bad luck lately; it suffices to say that I have an offer to leave England. Before I go I wish to see you once again, and for the last time, though God knows what misery it gives me to say so. You will admit that my desire to see you is but natural. Say in your next where you will meet me. I will come by the first or second train from Derby on Tuesday or Wednesday morning, whichever suits you; of course, without any one knowing. The sooner it is all settled, the better for both parties.

“Ever, dearest Bessie, your affectionate

“GEORGE.

“P.S.—I arrived too late from Bolton to answer yesterday. Will you write by return?”

On the Monday he wrote again:—

“Hendham-vale, Monday.

“Dearest Bessie,—It is doubtful whether you will get the letter I wrote you yesterday till to-morrow. I posted it myself last night at eleven o'clock, at the general office (I could not before), and being Sunday, could not make out about the mails, so I put it into the extra stamp box for the chance of its going.

“This is simply to say that in my haste I mentioned Tuesday or Wednesday, forgetting that I should have to leave here to-day in order to see you to-morrow—that is, if I see you in the morning, as on the last occasion; but if it suits you better I could arrive by the same train that Kate and I came by, and you could meet me the same evening, I returning the following morning. I suppose it would not be possible the same night. I think if we say Thursday evening or Friday morning it will be best, as then there will be plenty of time for you to say which you prefer, so at any rate in your next say at what time and whereabouts I can see you. I suppose any where between your house and Whatstandwell would do. I am ill and thoroughly upset, and I do not wonder you are. We shall both be happier and better in mind, as well as body, after this last interview. Address, care of W. Arrowsmith, Gilnow-mills, Bolton, where I am going back to-morrow. Of course, if I hear to-morrow, and you fix time and place of meeting, I shall be at your appointment, *‘coûte qu’il coûte.’*

“Always your affectionate

“G. V. T.

“Trains.—I can arrive at Whatstandwell-bridge at 4.2 afternoon, or at 9.34 or 11.37 in the morning, whichever you like.”

On the following Wednesday, the 19th, the prisoner wrote again as follows:—

“Gilnow-mills, Bolton, Wednesday.

“My dear Bessie,—I will only say here that I will arrive by the train you mention (11.37 a.m., Friday morning), and that I hope, dear Bessie, you will

not bother yourself unnecessarily about all this as far as I am concerned. For my own peace of mind I wish to see you, which I hope you won't think selfish. *Du reste*, I only repeat what I have already said—I have but to hear from you what your wishes are, and they shall be complied with, and that I have sufficient *savoir vivre* not to make a bother about what cannot be helped. You can write to the Midland Hotel, Derby, where I shall stay to-morrow night, or leave a note at the inn at Whatstandwell-bridge for me. Don't let me be the cause of any row between you and your G. P. If you like to call at the inn I will not stir out till you come; but I leave all this to your judgment.

“Ever yours affectionately,

“Miss Bessie Goodwin, Wigwell Grange,  
Wirksworth, Derbyshire.”

“G. V. T.

On the same day Miss Goodwin wrote a letter to the prisoner, which had been preserved, and was as follows:—

“My dear George,—I write this in the greatest haste to tell you not to come on (any) account. I leave here to-day, and can't tell when I shall or can be back again. I do not wish to see you, if it can possibly be avoided, and indeed there will be no chance now, so we had better end this state of suspense at once, and say ‘Good-bye’ without seeing each other. I feel sure I could not stand the meeting. If you write once more within the next three days I can get it, but not later than that time without its being seen, for my letters are strictly watched, and even opened.

“Yours truly,

“Wednesday.

“BESSIE.

“Immediate.

“G. V. Townley, Esq., Hendham-vale,  
Smedley, near Manchester.”

This letter reached Hendham-vale on the Thursday morning, and Townley's mother, perceiving from whom it came, opened it, and immediately telegraphed to the prisoner, who was then staying at Mr. Arrowsmith's, at Bolton:—

“Letter from B. [Bessie].—Come at once. Will meet you at the station. Will wait. Immediate.”

Immediately on getting this telegram the prisoner seems to have left Bolton and gone to Hendham-vale. From there he went on the same day to the Midland Hotel, at Derby, where he slept. On the following morning, Friday, the 21st of August, he left Derby, and went to Whatstandwell, the nearest station to Wigwell Grange, which is about a mile and a half distant. He reached this place about half-past eleven, and went to the Bull's Head Inn, which is close to the station. The learned counsel then detailed the facts of the case as they appear in the evidence of the witnesses below. He added that it was clear that Miss Goodwin met her death at the hands of the prisoner, and it seemed to be equally clear that if the prisoner was responsible for his acts, the offence amounted to murder. He was not in a position to anticipate the defence that would be set up on the prisoner's behalf; but if that defence was that the prisoner was not responsible, the jury must be satisfied that he was labouring from such a defect of reason, from disease of the mind, as not to know the nature and quality of the act he was doing; or, if he did know it, that he did not know he was doing what was wrong.

After proving the facts already stated, Mr. Boden called

Ann Burley, who said,—I keep the Bull's Head Inn, at Whatstandwell-bridge, which is about three miles from Wigwell Grange. The prisoner came



to my house on the morning of the 21st of August, about half-past eleven, and asked if there was a note for Mr. Townley. On hearing that there was not, he asked for a glass of brandy and water. After walking about some little time he came back and asked if he could have a bed, as he said he might probably want one that night, and having had another glass of brandy and a pill, which he took from his carpet-bag, he left the house in the direction of Wigwell Grange.

It appeared from the evidence of the next witness that the prisoner, after leaving the Bull's Head Inn, must have gone past Wigwell Grange, which is about half-way between the Bull's Head and Wirksworth, to the last-named place.

The Rev. Herbert Harris.—I keep the grammar school at Wirksworth, which is about a mile and a half from Wigwell Grange. The prisoner came to my house on the 21st of August, at half-past one, and said, "I have called on you as a friend of Miss Goodwin. I suppose you know there is an engagement between us." I said, "I understood there was an engagement, but that it had been broken off." He said, "She has written to me to break off the engagement, and declines to see me. I want to know how matters stand." I said, "Any thing I know is in confidence, and, therefore, I cannot satisfy you." He said, "I will find it out somehow or other." He then asked who was the clergyman who had been staying at Wigwell. I said, "There had been one there, but I declined to give his name." I had been told that there was an engagement between Miss Goodwin and this clergyman who was staying there three weeks or a month ago. He then asked if Miss Goodwin was at Wigwell, and if I thought any coercion had been used towards her. I said she was at Wigwell, but no coercion had been used towards her that I was aware of. He said, "Sooner or later I must see her. I have written to release her from the engagement, but I must hear from herself that she gives it up. She is of age and must please herself. I know I am not a good match, and have no wish to stand in her way." I then told him I must leave him, as it was my school-hour (two o'clock), but if he would call at half-past four I would see him again. He then left and came again at half-past four. I told him his best course was to write a note to Miss Goodwin, and send it by post, requesting her to see him in the morning. He said he had already written and without effect. I said, "If you were to call at the house, perhaps Miss Goodwin would see you." He said he would do so, and get it off his mind. He left, saying he would call again, but did not do so. His manner was that of an ordinary man, perfectly calm and collected. There was nothing to attract my attention.

Cross-examined.—I had only seen the prisoner once before. That was at Mr. Goodwin's. I was told of the engagement with the clergyman by Miss Goodwin herself the Wednesday before her death.

Elizabeth Margaret Poyser.—I am the housemaid at Wigwell Grange. The prisoner came to the house on Friday evening, the 21st of August, at twenty minutes to six, and asked for Miss Goodwin. I showed him in, and Miss Goodwin met him at the drawing-room door, and they went into the garden. Half an hour after I went into the garden and found them sitting on a seat a short distance from the house. I told Miss Goodwin she was wanted, and she came to the house and remained there till a quarter to seven, when she went out again. I went out at a quarter past seven and found her again sitting on the seat with the prisoner. I told her tea was ready, and she said, "I am coming directly." I left her, but she never returned alive. I had seen him before. His

manner was like that of other people, and was not different on the 21st from what it had been at other times.

Thomas Biddulph.—On the night of the 21st of August I was coming up the Wigwell-hill-lane, about half-past eight. On getting to the top of the lane, where it opens into the turnpike-road, I saw a man and woman walking together towards Wigwell Grange. The woman was Miss Goodwin. After passing them I looked back, and saw she had turned round in front of the gentleman with her back to the hall.

Reuben Conway.—I work for Mr. Bowmer, who lives just opposite the Grange. On the night of the 21st, between eight and nine o'clock, as I was going along the turnpike-road from the hall towards the Wigwell-lane end I heard a moaning noise, which appeared to come from the direction of the Mill-lane end. I ran forward, and found Miss Goodwin guiding herself by the wall and coming towards the house. Her face and the front of her dress were covered with blood. She asked me to take her home, and said there was a gentleman down there had been murdering her. I put my arm round her and carried her about twenty yards. She asked me whether I could see any one, and on looking down the road I saw the prisoner sixty or eighty yards below towards the lane end, and nearer the lane end than the place where the blood was afterwards found. He was crossing the road, and then came towards me. When I first saw him he was about forty yards from the hunting gate. As he came up I went towards him, and asked him who had been murdering Miss Goodwin. He said he had stabbed her. I asked him to go and help me, and he took hold of her head and I of her body, and we carried her towards Wigwell. He called her "Poor Bessie" several times, and said, "You should not have proved false to me." She said nothing then. We laid her down near a gate, and prisoner asked me for something to put round her neck to stop the bleeding. I said I had nothing, and he asked me to go for help. I asked him if he would stop with her, and he said he would. I then went to Mr. Bowmer's yard for help, leaving the prisoner with Miss Goodwin. I was away about four or five minutes, and on coming back found the prisoner holding something round her neck. I asked if she was living, and he said she was. She said, "Take me home." We then carried her a short distance further until Mr. Seeds and his brother came up. Mr. Seeds asked who had done it. The prisoner said, "I have done it." We then carried her further, and met James Conway, who also asked who had done it. The prisoner said, "I know, and he knows; I am the man who did it, and I shall be hanged for it." Miss Goodwin then said she was dying. We carried her further, and met Mr. Bowmer, who also wanted to know who had done it. The prisoner said, "I have done it; there is no question at all about that." After going a little further he said he was afraid she was dead, and bent down and kissed her. She was dead. We met Captain Goodwin and Ann Poyser, the housekeeper, just within the hall gates. Captain Goodwin asked what we had amiss, and the prisoner answered, "It is your granddaughter Betsy, murdered." Captain Goodwin wanted to know who had done it. The prisoner said, "I have done it;" and, on the captain's asking who he was, said, "My name is George Townley." The body was taken into the kitchen and put on the floor. Captain Goodwin then asked the prisoner what made him do it. He answered, "She has deceived me; and the woman that deceives me must die." He then went into the drawing-room with Captain Goodwin.

Ann Poyser, the housekeeper, corroborated the last part of the preceding witness's evidence.

Dr. Newton Mant.—I was called in to Wigwell Grange on the Friday evening, and found Miss Goodwin dead. There were three wounds on the right side of the neck, one a stab behind and below the right ear; the second a stab in front of this, superficial; the third wound, still further in front, three inches long, and extending nearly to the chin. The back part of this wound appeared to have been produced by a stab directed downwards and backwards. The external carotid artery and the internal jugular vein were severed. These were severed by the third wound. The first wound was probably given from behind, and was not mortal. I should have thought that a person could not have walked after receiving the third wound. The knife produced (an ordinary clasp knife, found on the prisoner) would have caused the wounds. I saw the prisoner that night. He appeared to be perfectly calm.

Cross-examined.—I was with him ten or fifteen minutes in the drawing-room. There was much blood upon him.

Captain Goodwin.—(This witness, who is eighty-four years of age, appeared to be somewhat infirm, but spoke with a strong clear voice.) After stating what took place at the gate—which has been already given—the witness, who was much moved, continued:—After saying that the woman who deceived him must die, the prisoner said, “I told her I would kill her. She knew my temper.” He also said, “I had the means two months ago, and I have the means at the present time.” He asked if I would take charge of some of his things. I observed he had money in his hand. I declined to take any thing. He then produced two packets of letters. He gave them to me and said, “Will you take care of these? You may read them, burn them, or do what you like with them. I don’t wish these to be brought into court.” I kept them for a few days, and then threw them all into the fire. I did not read a line of them, but I believe them to have been my granddaughter’s letters. The prisoner was staying at my house for a few days at Christmas time. I did not see much, hardly any thing of him. On the Friday evening he behaved with the greatest indifference. I thought I saw a little excitement about him just before he offered me the things. He had been so perfectly indifferent before that I noticed the change.

Cross-examined.—After the prisoner was remanded, a policeman, Parnham, asked me for one of the letters produced in court (the last from Townley), and another policeman, Burton, asked me for the packet of letters, and suspecting he had some improper motive I burnt them. I thought he was pumping me, and, being annoyed at that, I burnt the letters.

Charles Parnham, a police constable, said,—When I got to Wigwell on the Friday evening the prisoner came towards me and said, “I wish to give myself up for murdering the young lady.” I cautioned him, and asked him if he was aware of the nature of the charge he was giving himself up for. He said, “Yes, quite so, and will go with you quietly, only let me see her first.” I then said to him, “What have you done with the instrument or knife you committed the deed with?” He took the knife now produced out of his pocket and gave it to me. It was wet with blood. I then took him into the kitchen. He looked at the body stedfastly, but did not speak. On the way to the lock-up he said, “I am far happier now I have done it than I was before, and I trust she is.” I searched him and found two other knives (penknives) upon him. Next morning I asked him if he knew anything about a shawl. He said, “I saw one on the road and threw it over the wall.” This was Miss Goodwin’s shawl. I examined the road and found a small pool of blood at the corner of Wigwell-mill-lane. At the hunting gate, which is about 200 yards from the lane end and nearer the Grange,

I found another large pool of blood. I did not notice any between the two places.

Cross-examined.—I did not say, “Are you aware of the nature of the charge?” because I doubted whether he was, but because he seemed so anxious to give himself up. I noticed marks of whitling on a gate opposite to the hunting gate. Three or four pieces had been cut off. That gate has been completely pulled to pieces and carried away by the persons who have visited the spot.

The above evidence having been given, Mr. Macaulay addressed the jury on behalf of the prisoner. He strongly hoped that he should satisfy the jury beyond all doubt that by a mysterious dispensation of Providence the prisoner had been deprived of his reason to such a degree as to render him not amenable to the laws for the dreadful deed which undoubtedly he had committed. His father was a man of good means and position, and had three children, two sons and a daughter, of whom the prisoner was the eldest. From an early age his behaviour had been somewhat peculiar. He was perfectly well conducted, gentle, quiet, and well behaved. He was exceedingly accomplished, but he was found to have no aptitude or capacity for the serious business of life. When very young he was noted for his taste for music. At school he acquired languages with facility; but when put into a merchant's counting-house he could not learn the business. The learned counsel then went into a detailed account of the evidence he proposed to adduce, which from its importance we give as it fell from the lips of the witnesses.

At the close of Mr. Macaulay's address his lordship observed, “I have not sat here to try this case without well considering what question I should leave to the jury, and I will now read what I have written down, and what I propose to leave to the jury. I shall tell them that if they believe that, although there might have been disease of the mind to some extent, yet if the prisoner knew that the act he was committing would probably cause death, and that the doing it would subject him to legal punishment, there was criminal responsibility.”

Mr. Macaulay.—Many men have been acquitted with approval who must have been convicted under such a direction.

Baron Martin.—I have drawn that from a summing-up of Justice Le Blanc, which has been much approved of, and from a decision of Lord Denman's, and another of Lord Lyndhurst's, and I believe it to be a correct statement of the law. I have put aside from my consideration the ruling of the judge who tried Bellingham, because that ruling has been objected to.

The following witnesses were then called :—

Emma Marsden.—I am the prisoner's maternal aunt, and have known him all his life. He is very affectionate and very humane. I had an aunt named Mary Marsden, the sister of the prisoner's grandfather. She destroyed herself, and was supposed to be insane. Gilbert Ainsworth, a first cousin once removed, was confined for many years in a lunatic asylum. Titus Bourne, my maternal uncle, had ten children, of whom five were insane. Two were confined in an asylum. Another maternal uncle had six children, of whom one has been insane. He is not now in an asylum.

Cross-examined.—The prisoner was occasionally subject to fits of ill-temper. He was not ill-tempered generally.

The Rev. William Bourne Masters, the prisoner's maternal uncle, corroborated the evidence of the last witness.

Mary Townley.—I am the prisoner's mother. He had a very poor capacity for business pursuits, and had no profession in August last. In March of this year



I received a letter from Miss Goodwin, expressing great affection for my son. They were upon the most affectionate terms, and my son's affection continued the same as ever. On the 12th of August he received a letter from Miss Goodwin, which I saw. (The letter was one of those given by Townley to Captain Goodwin and burnt by him.) It spoke of a clergyman, the most delightful man she had ever seen in her life. He had been staying at Wigwell, and her grandfather thought he would just suit her, but that would not do. It ended, "Yours affectionately." The usual conclusion was "Your own darling," or something of that sort. I saw him on the Saturday, three days after he received that letter. There was another from Miss Goodwin to him on that day. It said she had a good deal to say to him, and it had better be said at once. Grandfather had found out that they corresponded, and was wild that there was any thing in the way. "I want you to release me," the letter went on, "that I may have it to say I am free. Don't take this too hardly in pity for me. I shall not marry if I can help it." That was signed "Yours sincerely." That letter seemed to have turned his brain. He was in such an excited, suppressed state of feeling that I asked Mr. Arrowsmith to sit up with him. The next morning I went to my son's room. He was at the door, and appeared very excited, but externally calm. He had not been in bed. He took nothing but tea and brandy for breakfast, and only very little for dinner. That evening (Sunday, the 16th of August) he wrote a letter to Miss Goodwin (the letter dated Sunday, and given above). He took a long time to write it, and was nervous and excited while doing so. He came down on Monday morning and lay on the sofa. He appeared very restless. His hands and feet were twitching nervously. I gave him some morphia. He remained on the sofa till dinner-time, and took no dinner. After dinner he wrote another letter to Miss Goodwin. (This letter is also given above, and is dated "Monday.") He had a little difficulty in finding words now and then. He was so nervous that he spoilt several envelopes in directing the letter of Sunday, and had to tear them up. On Tuesday morning he took hardly any breakfast, and appeared not to have had a night's rest. He then went to Manchester to give a French lesson, and on coming back he was in a perspiration, and said he hoped he was not going to have an illness. That afternoon he went to Bolton, to Mr. Arrowsmith's. On Thursday another letter came from Miss Goodwin (that given above), and I telegraphed to him to return home. On arriving he showed me a letter he had received from Miss Goodwin at Bolton. The purport of it was that if he wished to see her he was to go to the Midland Hotel at Derby, where he would find a note from her, but she did not wish to see him. There was a postscript, "After all, you had better come," and she mentioned the trains. We consulted on what was to be done at the station, and fixed that he had better go to Derby. The letter I gave him from Miss Goodwin evidently distressed him. I could see he was dreadfully upset, but he always kept quiet. Shortly afterwards he left for Derby. His manner was generally reserved, but excited. I noticed an excited manner. That was his natural manner during the whole course of his life. He was only excited on occasions. I noticed a change after the receipt of Miss Goodwin's letters. I should describe that change as a suppression of deep feeling. I believe an objection was made to my marriage with Mr. Townley on the ground of the insanity in my family.

Cross-examined.—The French lesson was given to the son of a neighbour whom my son had been in the habit of teaching from motives of kindness.

Catherine Townley, the prisoner's sister, confirmed the evidence of her mother.

Washington Arrowsmith.—I am a cotton-spinner at Bolton. On the 12th of

August I saw the prisoner before and after he received Miss Goodwin's letter. He seemed much depressed by it. He seemed more depressed after getting the second letter. I sat up with him on the Saturday night, the 15th. He was alternately depressed and excited, and wept for about four hours in the course of the night, not continuously. I assisted him in writing the letter of Sunday. He supplied the substance of the letter and I the words. He seemed to have a difficulty in finding words. He was with me at Bolton from Tuesday to Thursday, the 20th, and appeared to be suffering very severely in mind. He received a letter from Miss Goodwin during that time, which seemed to make him more despondent. I did not see him again after he received the telegram of Mrs. Townley. His mind and manner underwent a marked change after he received the letters from Miss Goodwin. He appeared to be lost in thought, and did not observe me sometimes when I spoke to him. His natural disposition was very kind, but very reserved.

Cross-examined.—He was subject to passion like any body else. The letter from Gilnow-mills he wrote himself. I am not aware that he had any medical advice on the night I sat up with him. He appeared to be very much distressed and kept walking. That made me think it not safe to leave him.

William Glover.—I have been acquainted with the prisoner four years. He is extremely gentle and humane, and a close and attached friend. He was very reserved to strangers. I have seen him extremely impulsive and excitable at times. He was a man with very little hope, and looked despondingly at most things. Sometimes he would address me, and on my continuing the conversation did not appear to notice me. His mind appeared to be wandering on something else.

John Grew.—I am waiter at the Midland Hotel, and remember the prisoner coming to the hotel on Thursday evening, the 20th of August. He asked for chops and tea. At first there was nothing to attract my attention, but afterwards he walked up and down the coffee-room. He took very little indeed of his tea, and after writing a letter asked what time the mail went out, and on my replying nine o'clock, he went out apparently to post the letter himself. The next morning he asked if there were any letters for Townley. He poured out a cup of tea and had some dry toast. Before that he walked up and down, and muttered something which I understood to mean soda and brandy. He had a wild excited appearance about his eyes. After breakfast he walked up and down muttering to himself. I thought him very eccentric. He asked the way to the smoking-room, and when I told him, he said, "I don't want to know the way to the smoking-room; I know my way all over the house." I came to the conclusion that he was not right in his mind. Inspector Davis and Chief-constable Fox have been to me, and I told them that, in my opinion, the prisoner was not quite right in his mind.

Cross-examined.—I do not recollect having told Davis on the following Saturday that I noticed nothing about Townley. I told him Townley was very strange in his manner.

The Rev. John Leighton Figgins, incumbent of St. Clement's, Manchester.—I should set the prisoner down as a person deficient in what I might call logical conclusion. I have conversed with him since he has been in prison. I do not see any change, because I never had had similar conversations before. If not knowing the difference between good and evil is a sign of derangement, I should say he is deranged now.

Cross-examined.—When I say that he does not know the difference between

right and wrong, I mean there are certain things which I consider sinful and which he does not. He was rational in the sense of understanding what I said.

Dr. Forbes Winslow.—I have seen the prisoner twice in the presence of Mr. Sims, the governor of the gaol. He was not aware of my name or of the object of my visit. His behaviour was quite natural and not assumed. I talked to him largely on the subject of the crime. I was with him nearly two hours on the first occasion and three-quarters of an hour on the second. I think that at this present moment he is a man of deranged intellect. He was deranged on the 18th of November, and I thought still more so last night, when I saw him the second time. If I had any doubt as to his insanity on the 18th of November, I had none whatever last night. I adverted to the conversation I had had with him on the previous occasion, with a view of satisfying my mind that I had left him with an accurate impression of what he had said. He repeated to me that he did not recognize he had committed any crime at all, neither did he feel any degree of pain, regret, contrition, or remorse for what he had done. I endeavoured to impress on his mind on my first visit the serious nature of the crime he had committed. He repudiated the idea of its being a crime either against God or man, and in reply to some observation of mine, attempted to justify the act, alleging that he considered Miss Goodwin as his own property; that she had been illegally wrested from him by an act of violence; that he viewed her in the light of his wife who had committed an act of adultery, and that he had as perfect a right to deal with her life as he had with any other description of property, as the money in his pocket, &c. I endeavoured to prove to him the gross absurdity of his statement and the enormity of his offence, and he replied, "Nothing short of a miracle can alter my opinions." The expression that Miss Goodwin was his property was frequently repeated. He killed her to recover and repossess himself of property which had been stolen from him. I could not disturb this, as I thought, very insane idea. I said, "Suppose any one robbed you of a picture, what course would you take to recover it?" He said he would demand its restitution, and if it were not granted, he would take the person's life without compunction. I remarked that he had no right to take the law into his own hands; he should have recourse to legal measures to obtain restitution. He said that he recognized the right of no man to sit in judgment upon him. He was a free agent, and as he did not bring himself into the world by any action of his own, he had perfect liberty to think and act as he pleased, irrespective of any one else. I regard these expressions as the evidence of a diseased intellect. Last evening he said that he had been for some weeks previously to the 21st of August under the influence of a conspiracy. There were six conspirators plotting against him, with a view to destroy him, with a chief conspirator at their head. This conspiracy was still going on while he was in prison, and he had no doubt that if he was at liberty they would continue their operations against him, and in order to escape their evil purposes he would have to leave the country. He became much excited, and assumed a wild, maniacal aspect. I am satisfied that aspect was not simulated. I could not get from him the names of the conspirators.

Mr. Macaulay.—If the present state of mental derangement existed on the 21st of August, would it be likely to lead to the commission of the act then committed?

Dr. F. Winslow.—Most undoubtedly. Assuming him to have been on the 21st of August as he was on the 18th of November and yesterday, I do not believe that he was in a condition of mind to estimate, like a sane man, the nature of his act and his legal liability.

Cross-examined.—He referred to the conspiracy in general terms on the 18th of November. I should class his case as one of general derangement. He does not appear to have a sane opinion on a moral point. I have no doubt he knows that these opinions of his are contrary to those generally entertained, and that if acted upon they would subject him to punishment. I should think he would know that killing a person was contrary to law, and wrong in that sense. I should think that from his saying he should be hanged he knew he had done wrong. His moral sense was more vitiated than I ever saw that of any other human being. His opinions were pretty much those of atheists, but he was beyond atheism. He seemed incapable of reasoning correctly on any moral subject. He denied the existence of a God and of a future world. He would suffer from his confinement, which would add to his excitement. It was more remarkable last evening than on the 18th of November, and might not have existed on the 21st of August. He said it was a matter of perfect indifference whether he was dead or alive.

Re-examined.—He merely gave utterance to these opinions dogmatically, and seemed incapable of arguing upon them.

Dr. Gisborne, the surgeon of the Derbyshire Infirmary and of the County Gaol, gave similar evidence, and added that the prisoner's condition at this time was similar to his condition when he was brought to the gaol in August. The prisoner stated to him that he looked upon a woman engaged to him in the same light as his wife, and that he ought to have the same control over his wife as over any portion of his personal property.

On cross-examination this witness stated that the prisoner's language implied that he knew that what he had done was punishable, but that he (the witness) believed he would repeat the offence to-morrow.

Mr. Sims, the governor of the gaol, gave similar evidence as to the conduct and statements of the prisoner.

This concluded the evidence for the defence, and Mr. Boden having replied on the part of the prosecution, Mr. Baron Martin summed up the case to the jury. He began by observing that the law of England attached the highest value to human life. Even in the case where life was taken by accident, the law required an investigation of the circumstances. While, therefore, the interest of the prisoner in the result of their deliberations was the greatest possible, the interest of the public was equally great; and it was their duty to give their verdict upon the point of law he should submit to them, and to leave the responsibility of acting upon that verdict to others. So far as the act was concerned, it was the clearest case he had ever had the misfortune to try. It was plain that the prisoner suffered as much as probably any man ever suffered. That was clear from the evidence of his friends and of the waiter at the Midland Hotel; but it was equally clear that he did not appear to be insane in the eyes of the landlady of the Bull's Head, or in those of Mr. Harris. The prisoner then went to the Grange, and remained in the company of the young lady from half-past six to nearly nine o'clock, when the deed was committed. It was probable that he implored her to renew the engagement, and perhaps reproached her with her conduct towards him. She may have been conscious that she had not behaved well to him, and may have remained in his company from a sense of his distress and from an anxiety to do all in her power to relieve his mind. At any rate, if that was not the true explanation of what took place between them, it could not possibly place the prisoner's case in a worse light than any explanation that could reasonably be suggested. He then inflicted upon the young lady the



wounds which caused her death. That was murder, subject only to the question of insanity. No one could doubt that the prisoner knew what he was doing, and that it would cause death. Unless he was insane, therefore, under those circumstances he was guilty of murder. No word was more vague than insanity. Probably, there was not one of the jury but was acquainted with some man who was in the habit of doing extraordinary actions, and of whom people said, "Why, that man must be insane." Two years ago an investigation took place into the condition of mind of a gentleman from the eastern parts of the county. There was a long inquiry, which excited great public interest, and there was a great divergence of opinion among medical men. Great eccentricity of conduct on the part of that person was shown, yet there was nothing to relieve him from criminal responsibility. Probably he was not the wisest of men, yet he was of sufficient intellect to take care of himself, and avoid doing injury to others. There was a somewhat similar case at the last Gloucester Assizes, in which a young lady was under the impression that a number of ladies had formed an unfounded dislike to her. In all probability she was labouring under a delusion with respect to those persons, yet she was as subject to the criminal law as any person in that court. What the law meant by an insane man was a man who acted under delusions, and supposed a state of things to exist which did not exist, and acted thereupon. A man who did so was under a delusion, and a person so labouring was insane. In one species of insanity the patient lost his mind altogether, and had nothing but instinct left. Such a person would destroy his fellow-creatures as a tiger would his prey, by instinct only. A man in that state had no mind at all, and therefore was not criminally responsible. The law, however, went further than that. If a man labouring under a delusion did something of which he did not know the real character, something of the effect and consequences of which he was ignorant, he was not responsible. An ordinary instance of such a delusion was where a man fancied himself a king, and treated all around him as his subjects. If such a man were to kill another under the supposition that he was exercising his prerogative as a king, and that he was called upon to execute the other as a criminal, he would not be responsible. The result was that, if the jury believed that at the time the act was committed the prisoner was labouring under a delusion, and believed that he was doing an act which was not wrong, or of which he did not know the consequences, he would be excused. If, on the other hand, he well knew that his act would take away life, that that act was contrary to the law of God, and punishable by the law of the land, he was guilty of murder. That was the real question they had to try. In the able address of the counsel for the prisoner no allusion had been made to the state of mind which constituted insanity. He had called the learned counsel's attention to that point, because he was desirous of hearing his views on the subject. He had already stated that in his opinion the law upon the subject was best laid down by Justice Le Blanc, as able a judge as ever sat on the bench. Justice Le Blanc, in the case alluded to, observed to the jury that it was for them to determine whether the prisoner when he committed the offence with which he stood charged was incapable of distinguishing right from wrong, or under the influence of any illusion which rendered his mind at the moment insensible of the nature of the act he was about to commit; since in that case he would not be legally responsible for his conduct. On the other hand, provided they should be of opinion that when he committed the offence he was capable of distinguishing right from wrong, and not under the influence of such an illusion as disabled him from discerning

that he was doing a wrong act, he would be amenable to the justice of his country, and guilty in the eye of the law. That, in his (Baron Martin's) opinion, was a correct statement of the law. He should not allude to Bellingham's case, because many were of opinion that that was an unsatisfactory trial. In Offord's case the late Lord Lyndhurst told the jury that they must be satisfied, before they could acquit the prisoner on the ground of insanity, that he did not know when he committed the act what the effect of it, if fatal, would be. With reference to the crime of murder, the question was, did he know that he was committing an offence against the laws of God and nature? In Oxford's case Lord Denman said, "Something has been said about the power to contract and to make a will; but I think that those things do not supply any test. The question is, whether the prisoner was labouring under that species of insanity which satisfies you that he was quite unaware of the nature, character, and consequences of the act which he was committing; or, in other words, whether he was under the influence of a diseased mind, and was really unconscious at the time he was committing the act that it was a crime." His lordship further said, that the jury must judge of the act by the prisoner's statements, and by what he did at the time. Unless they were satisfied—and it was for the prisoner to make it out—that he did not know the consequences of his act, or that it was against the law of God and man, and would subject him to punishment, he was guilty of murder. His lordship then went most carefully through the evidence. The prisoner's letters appeared to be the most sensible letters he had ever read. Again, the reason the prisoner gave for his act was, "She should not have proved false to me." Now, if his real motive was that he conceived himself to have been ill-used, and either from jealousy of the man who was preferred to him, or from a desire of revenge upon her, committed the act, that would be murder. Those were the very passions which the law required men to control, and if the deed was done under the influence of those passions, there was no doubt that it was murder. The prisoner's expression that he should be hanged for it indicated that he knew the consequences of his act. Another reason he gave for what he had done was, "The woman who deceives me must die." If a young lady promised to marry a man, and then changed her mind, it might be truly said that she deceived him; but what would be the consequences to society if men were to say every woman who treated them in that way should die, and were to carry out these views by cutting her throat? The prisoner claimed to exercise the same power over a wife as he could lawfully exercise over a chattel, but that was not a delusion, nor like a delusion. It was the conclusion of a man who had arrived at results different from those generally arrived at, and contrary to the laws of God and man, but it was not a delusion. Evidence, indeed, had been given of an actual delusion in the prisoner's mind in supposing that there was a conspiracy against him. That was an apt and common instance of delusion. There was also evidence of insanity in the maternal line, and it was true that insanity was hereditary, and did descend in families. The object of that was to show that it was possible and not unlikely that the hereditary taint might exist in the prisoner. All the evidence, however, failed to show the existence of any delusion in the prisoner's mind which could explain this act. None of his family conceived him to be mad. It was clear that such an idea had not entered into their mind, or they would not have recommended him to go and see Miss Goodwin. They treated him as sane from beginning to end, as a proper person to contract matrimony, and re-engage the affections of this young woman. The account of his state of mind upon receiving her letters was most probably correct. Most

men would probably suffer in the same way under similar circumstances. It had been said by one of the witnesses that the prisoner did not know the difference between good and evil. If that was a test of insanity, many men were tried who did not know that difference. In truth it was no test at all. The idea of a conspiracy was a delusion; but the mere setting himself up against the law of God and man was not a delusion at all. The question for the jury was, "Was the prisoner insane, and did he do the act under a delusion, believing it to be other than it was?" If he knew what he was doing, and that it was likely to cause death, and was contrary to the law of God and man, and that the law directed that persons who did such acts should be punished, he was guilty of murder.

The jury then retired, and, after an absence of five minutes, returned into court with a verdict of "Guilty" of wilful murder.

The prisoner was then called upon in the usual form to say why sentence of death should not be passed upon him.

Baron Martin, having put on the black cap, said,—Prisoner at the bar, after every possibility in your favour has been urged with an ability never excelled, you have been found guilty of wilful murder, and in that verdict I entirely concur. If the defence which has been set up in your behalf had prevailed, it would, in my opinion, have been attended with consequences dangerous to society. If it entered into the minds of men that they might take the life of any woman who was fickle, the results would be fearful. I have now only one duty to perform. With regard to that I have no discretion, but am under an absolute necessity of fulfilling it. I beg of you to take advantage of your opportunity to make your peace with God. I have no desire by any comment of mine to distress you or any other persons, but will, without saying more, pronounce the sentence imposed by the law. His lordship then, with much emotion, passed sentence of death upon the prisoner.

Pending, however, the time limited by law for the execution of this sentence, some proceedings of an extraordinary character took place. On the day after the trial Mr. Baron Martin addressed to Sir George Grey, the Secretary of State for the Home Department, the following letter:—

"Nottingham, Dec. 13, 1863.

"Sir,—George Victor Townley was convicted yesterday before me at Derby of murder, and sentenced to be executed. I have directed a copy of my notes to be made for you, should you desire to have it; but there is a full report of the trial in the newspapers. The conviction was in my opinion right; but Dr. Forbes Winslow and Dr. Gisborne were examined at the trial, and both deposed in the strongest manner that the prisoner is now of diseased mind and absolutely insane. I think it right to call your attention at once to the subject, with a view to a correct opinion being formed as to the propriety of his execution.

"I have, &c.

"SAMUEL MARTIN."

Upon receiving this letter, Sir George Grey, as he afterwards stated, read carefully the evidence given at the trial, but being not so much impressed with the statements of the two medical witnesses as the judge appeared to have been, he

wrote to him to inquire whether he had formed, from the evidence given at the trial or from the demeanour of the prisoner, any opinion of his own as to whether the prisoner was insane, and whether he thought that further inquiry ought to take place. To this letter Baron Martin returned the following answer:—

“Norwich, Dec. 18, 1863.

“Sir,—I have received your letter of the 17th inst., requesting me to inform Sir George Grey whether the impression produced on my mind by the evidence of the two medical witnesses on the trial of George Victor Townley, coupled with the demeanour of the prisoner, was such as to induce me to believe that the prisoner is now insane, or that there is such reason to believe him so as to call for further inquiry. I cannot say that I have formed any decided opinion upon the point. The demeanour of the prisoner afforded me no means of arriving at one. He sat during the trial with his head depressed; I scarcely once saw his countenance; and he never spoke. I should not be justified in saying that the evidence of Dr. Forbes Winslow and Dr. Gisborne is not correct, but I certainly think, and have thought ever since the trial, that there ought to be further inquiry.

“I enclose a copy of my notes of the evidence. You will find that of Dr. Winslow and Dr. Gisborne at page 25 and following pages.

“I am, &c.

“SAMUEL MARTIN.

“Horace Waddington, Esq.”

In consequence of this answer, Sir George Grey addressed a letter to the Commissioners of Lunacy, requesting them to inform him what their opinion was as to the prisoner's then existing state of mind. The answer of the Commissioners, which was dated December 29th, reached Sir George Grey just forty-eight hours before the time appointed for the execution. It was not very explicit or distinct in its terms, but it stated that in their opinion the prisoner could not, for certain reasons given, be considered as being then of sound mind, but that according to the law laid down by Mr. Baron Martin, which was in unison with the highest legal authorities on the subject, he was responsible for his actions. Upon that report alone, Sir George Grey stated, he should not have felt justified in interfering to prevent the execution. But by the same conveyance which brought this report, came also a certificate signed by three magistrates, and also by a surgeon and a physician, which was in the following terms:—

“Derby County and Borough Gaol, Dec. 27, 1863.

“We, the undersigned, William Thomas Cox, Thomas Boden Forman, and Thomas Roe, being three justices of the peace for the county or borough of Derby, as hereunder described, hereby certify that we this day attended at the County and Borough Gaol, situate in the said borough of Derby, and with the aid of Henry Goode, of Derby, aforesaid, Doctor of Medicine, and Thomas Harwood, of the same place, surgeon, then and there proceeded to examine and inquire into the mental state and condition of George Victor Townley, confined in the said gaol under sentence of death; and we, the said William Thomas



Cox, Thomas Boden Forman, Thomas Roe, Henry Goode, and Thomas Harwood, further certify that the said George Victor Townley is insane.

“W. T. COX, Justice of the Peace for the County and Borough of Derby.

“T. B. FORMAN, Justice of the Peace for the Borough of Derby.

“THOMAS ROE, Mayor of the Borough of Derby.

“HENRY GOODE, M.B., M.R.C.S.

“THOMAS HARWOOD, Surgeon and Apothecary, and Medical Officer of the Derby Union.”

This certificate had been prepared in conformity with the Act of the 3 and 4 Vict. c. 54. It was however irregular in some particulars, and a second certificate, which was technically correct in form, was forwarded to the Home Office the next day. There was very little time for deliberation; the execution of the sentence was imminent, and Sir George Grey, conceiving that he had no alternative but to comply with the statute thus put in force, at once signed a respite, which he forwarded to Derby, and followed up this step by issuing a warrant for the removal of the prisoner to Bethlehem Hospital.

This proceeding, however, on the part of the Secretary of State immediately produced an outburst of surprise and dissatisfaction on the part of the public. The evidence given at the trial respecting the supposed insanity of the prisoner had been received with much incredulity, and the settled opinion of the great majority of the nation, which was strongly upheld by the newspaper press, was, that Townley, at the time he committed the crime, and from that time down to the period of his trial, was in a state of mind which made him fully responsible for his actions and justly amenable to the penalty of the law. A loud outcry was raised as to the danger to society which the remission of punishment to such a criminal was likely to produce, and the injustice of the respite became one of the most popular topics of the day. Attention was also forcibly directed to the provisions of the Act under which this result had been brought about; few persons seemed to have suspected that such a law was in force, but when they learned the fact the public was loud in condemnation of its policy. When it further transpired that in this instance the Act to which the prisoner owed his escape had been set in motion at the instance of the attorney who defended him at the trial, the mischief of such a state of law appeared in a still stronger light, since it was perceived that it would be no difficult matter in any similar case to find the requisite number of magistrates and medical men, who, either from bias or favour to the prisoner, or misplaced humanity, or obliquity of judgment, might be induced to put their hands to the document required for his deliverance. In the present case the leading magistrates of the county expressed in decided terms their disapproval of the act of the certifying justices, though their dissent could not of course be of any avail against the certificate which had been given. It is but fair to those who thus certified, to add, that Sir George Grey, after calling upon them to explain the grounds on which their interference had been founded, expressed himself quite satisfied that they had acted in the matter with good faith and under a conviction that the prisoner was really insane, though it was clear at the same time that the movement for procuring the certificate had emanated from the prisoner's own attorney.

In this state of things, and while the ferment in the public mind still continued, Sir George Grey, having acted in strict accordance with the law by

respite the execution, resolved on taking another step with a view to ascertain the actual state of the prisoner's mind. Acting with the concurrence of the Lord Chancellor, he directed four medical gentlemen of much experience in cases of lunacy, viz., Dr. Hood and Dr. Bucknill, the Visitors of Chancery Lunatics, Dr. Meyer, of the Broadham Criminal Lunatic Asylum, and Dr. Helps, Medical Superintendent of Bethlehem Hospital, to visit Townley, to investigate his state of mind and report thereupon. These gentlemen accordingly, having had two interviews with the prisoner, made their report to the Home Office, which in very clear and explicit terms stated the conclusion they had formed, that he was of entirely sound mind. The question then arose in what manner the prisoner ought under existing circumstances to be dealt with. It was undoubtedly competent for the Government, and consistent with the Act under which the respite had been granted, to authorize the execution, now that the cause for its suspension was shown not to exist, to be carried into effect. On the other hand, such a measure would have been contrary to the established usage, under which the respite of a capital sentence is always understood to involve a commutation; it would have carried an appearance of great rigour to have departed in this instance from the custom, and would have probably excited a reaction in the public mind not less strong than the previous ebullition. Acting upon these views, the Home Secretary, upon receiving the report of the four medical Commissioners, forthwith announced that the capital sentence on Townley would be commuted to that of penal servitude for life. The opinion of the public generally acquiesced in this decision. The necessity for altering the law, which had been shown by this example to admit of such mischievous operation, became at the same time fully apparent, and the Government at once declared their intention of applying to Parliament at the commencement of the ensuing session for that purpose.

## VI.

### COURT-MARTIAL UPON LIEUTENANT-COLONEL CRAWLEY.

The trial of this officer by a court-martial at Aldershot Camp, which began on the 18th of November and continued no less than twenty-one days, was an event which for a long time previously to its taking place, as well as throughout its protracted proceedings, excited the keenest interest, not only in military circles, but throughout the whole community. In the preceding session of Parliament the charges against Colonel Crawley had been repeatedly made the subject of inquiry and comment in both Houses; they had been descanted upon in no measured terms by the newspaper press, and the excitement aroused in the public mind, at what appeared from the highly-coloured narratives which reached this country to be a case of outrageous oppression and cruelty, rose to such a pitch that nothing less than a public investigation in England could have satisfied the incensed feelings of the nation. A court-martial having been decided upon by the Commander-in-Chief, orders were sent out to India that both the accused officer and a large number of the officers and men of the regiment which he commanded, the 6th (Inniskilling) Dragoons, whose evidence might be needed at the trial, should

be sent home for that purpose. But as the Court of whose proceedings we are now to give a brief account was not the first which had been held upon the transactions affecting Colonel Crawley and his regiment, but had been preceded by a previous court-martial in India, it will be necessary, in order to make the present proceedings intelligible, to give a short *resumé* of the earlier stages of the case, and of the circumstances under which these final proceedings were taken. Lieutenant-Colonel Crawley, an officer of thirty years' standing,—and, as far as can be ascertained, of previously unblemished character,—was appointed early in 1861 to the command of the 6th Dragoons, then at Ahmednuggur, in the Deccan. Up to that time there was nothing to show that its previously high reputation had been forfeited, but Colonel Crawley, going out fresh from home service, saw several things in the regiment which excited his displeasure, and set about introducing reforms with considerable energy. His manner appears to have been somewhat injudicious, and feuds arose which soon divided the regiment into hostile cliques. Hasty expressions and indiscreet acts were remembered and reduced to writing, and in less than a year from the time when Colonel Crawley assumed command of the Inniskillings, Paymaster Smales—whose name and conduct were very prominent throughout these proceedings—had been brought once before a court of inquiry, and once before a general court-martial. At the latter trial, familiarly known as the Mhow Court-martial, all the accumulated ill-will which had been growing for months found vent. There was hard swearing on all sides, and ultimately the finding of that tribunal, though receiving the approval of Indian military authorities, was quashed by the advice of the law officers in England. Painful as were the disclosures made then, they never would have led to the present trial had it not been for the lamentable incident which roused public feeling in England to a pitch of indignation unequalled since the days of Governor Wall. Shortly stated, the version which reached this country was that three non-commissioned officers who were to have given important evidence before the Mhow Court-martial were arrested by order of Colonel Crawley, and illegally kept in close confinement for forty days during the full heat of an Indian summer. At the end of that time one of the non-commissioned officers had died, another was a lunatic, and the third, whose constitution must have been very strong, was released, by order of superior authority. In the case of Sergeant-Major Lilley, who sank under the confinement, the circumstances were peculiarly affecting. It was alleged that he and his wife, who was in the last stage of consumption, were lodged in a single room rather less than fifteen feet square, originally a stable. Rumour added that the roof was bomb-proof, and that it consequently retained the heat like an oven, never having time to grow cool before it again attracted the rays of the sun. It was further stated that, in order effectually to prevent any communication between Lilley or his wife and persons without, orders had been given to station the sentry for the future inside, instead of outside, the room, so that he might keep John Lilley, and consequently his wife—who was afflicted with chronic diarrhœa—under his eyes by night as well as by day.

The public indignation excited by these statements—how far founded in fact the evidence hereafter to be stated will show—was further aggravated by the circumstance that the Commander-in-Chief in India, Sir Hugh Rose, had in a public order attributed the death of Sergeant-Major Lilley to his own intemperance.

The brief reference which has now been made to the Mhow Court-martial was necessary in order to explain the subsequent occurrences; but at the Aldershot Court-martial the charges preferred against Colonel Crawley by the Judge-Advocate were limited to two, both turning on the circumstances immediately

connected with the death of Sergeant Lilley. Colonel Crawley himself was anxious to extend the scope of the inquiry, with the view of showing that he had grounds, or believed he had grounds, for every thing which he had done since he took command of the regiment. The Horse Guards, on the contrary, desired to exclude all reference to previous transactions, to the trial of Paymaster Smales, or the story of the Mhow Court-martial.

The following were the charges preferred:—

“1. For conduct unbecoming an officer, and to the prejudice of good order and military discipline, in having at Mhow, during the month of May, A.D. 1862, when the Regimental Sergeant-Major Lilley was confined in close arrest, caused the orders under which he was so confined to be carried into effect with unnecessary and undue severity, whereby the said Regimental Sergeant-Major Lilley and his wife were subjected to great and grievous hardships and sufferings.

“2. For conduct unbecoming an officer and a gentleman, and to the prejudice of good order and military discipline, in having at Mhow, on or about the 7th day of June, A.D. 1862, in the course of an address made by him before the general court-martial which was then being held for the trial of Paymaster T. Smales, 6th Inniskilling Dragoons, expressed himself in the following language, or in words to the like effect:—‘Close arrest necessarily implies a sentry over a prisoner, but it does not necessitate his being placed over a prisoner’s wife or family, and I can assure the Court that no person could be more shocked than I was when I learned from the evidence of Sergeant-Major Lilley that his wife had been incommoded or annoyed by the precaution taken for his safe custody. It was Lieutenant and Adjutant Fitzsimon’s fault if any such thing occurred, for it was his duty as Adjutant to have seen the post assigned to the sentry, and to have taken care that no such improper interference with the privacy of the Sergeant-Major’s wife could have taken place. As it was, immediately I became acquainted with the statement of Sergeant-Major Lilley, I sent off orders to have the sentry removed to a post where he could perform his duty equally well without annoying or interfering with Mrs. Lilley.’ Thereby representing that the said Lieutenant and Adjutant Fitzsimon was in fault for what had occurred, whereas in truth and in fact the said Lieutenant-Colonel Crawley then well knew that the said Lieutenant and Adjutant Fitzsimon had acted in the said matter by the express order and direction of the said Lieutenant-Colonel Crawley.”

The following officers composed the Court:—President—Lieutenant-General Sir George Augustus Wetherall, K.C.B. Members—Major-General John Lawrenson; Major-General David Russell, C.B.; Major-General Randal Rumley; Major-General Edward Cooper Hodge, C.B.; Colonel Robert Wardlaw, 1st Dragoons; Colonel Gloucester Gambier, C.B., Royal Artillery; Colonel Hon. George Talbot Devereux, Royal Artillery; Colonel Thomas George Alexander Oakes, 12th Lancers; Lieutenant-Colonel Charles Sawyer, 6th Dragoon Guards; Lieutenant-Colonel William Wynne Lodder, 59th Foot; Lieutenant-Colonel John Neptune Sargent, 3rd Foot; Lieutenant-Colonel Soame Gambier Jenyns, C.B., 13th Hussars; Lieutenant-Colonel Hugh Maurice Jones, 73rd Foot; Lieutenant-Colonel Francis Douglas Grey, 37th Foot. Officiating Judge-Advocate—Colonel James Kennard Pipon, unattached. Prosecutor—Colonel Sir Alfred Horsford, K.C.B. The prisoner was assisted in his defence by his counsel, Mr. William Vernon Harcourt.

The difficulty is to give, within such narrow limits as our space can afford, any clear account of the voluminous evidence and proceedings of this extraordinary trial. A very brief summary of the facts deposed to by the witnesses, and of the



main points of the accusation and defence, is all that can be attempted in this place.

Colonel Crawley, having been asked whether he would plead guilty or not guilty, rose, and, addressing the Court, made a protest against being called upon to plead, because the charges were so limited that he would be unable to place the whole of the circumstances before the Court, and to disabuse the public mind of the matters which had been stated to his prejudice. He described himself as having been greatly maligned by the press both of India and England. He also read a lengthened correspondence between himself and the authorities at the Horse Guards, in which he had demanded in effect to be permitted to go into all the circumstances which led to the court-martial at Mhow.

The official prosecutor objected that the matter had been fully considered by the authorities, and that the Judge-Advocate was of opinion that the charges on which the prisoner was to be tried were sufficient in law.

The Court then retired to another room, and on their again taking their seats, the President said that it was the opinion of the Court that they ought to proceed to trial on the charges as framed.

Colonel Crawley then pleaded "Not Guilty."

Sir A. Horsford, the official prosecutor, then addressed the Court, and said there were two charges. The first alleged that Sergeant-Major Lilley and his wife were subjected to grievous sufferings and undue severity, for which the prisoner was alone responsible. To substantiate this charge evidence would be produced, with models of the buildings in which the sergeant-major was confined; and their attention would be drawn to the constitution and habits of the sergeant-major, and how far such a man would be affected by the confinement; secondly, they would have medical evidence of the actual consequences; and then the question would be whether such sufferings were caused by the undue severity with which the order for close arrest was carried out. As to the length of time during which the confinement lasted, he did not consider the blame to be imputable to the prisoner, except to the extent which he (Sir A. Horsford) would now indicate. It should be borne in mind that Colonel Crawley received an order from the commander-in-chief in Bombay to keep Sergeant-Major Lilley in close confinement till Paymaster Smales's trial was finally adjourned. Therefore, so long as that order was in force Colonel Crawley was not responsible, but the length of time (by the strange terms of the order) and the indefinite duration assigned by the order to the imprisonment bore upon the charge, inasmuch as the officer entrusted with its execution ought to have made it as little grievous as possible from the commencement of its execution, and it was for the consideration of the Court what the prisoner had done, and what he had failed to do in that respect. It would be proved that, on *post-mortem* examination, the death was found not attributable to drinking intoxicating liquors, but to apoplexy caused by close confinement; and that the annoyances to which Lilley was subjected during his confinement contributed to break down his health, and that there were no medical reasons to suppose that he would not, but for these, have been in perfect health at the time when he died.

After some further observations, the following witnesses were called:—Mr. Scollick, clerk in the Advocate-General's office, who produced the proceedings of the court-martial at Mhow, on Paymaster Smales, in April, 1862.

Lieutenant and Adjutant Thomas Joseph Fitzsimon, of the 6th Dragoons, was then examined. He said Colonel Crawley sent for him on the 26th of

April, 1862, and asked, did he know that a conspiracy was going on against him? Witness said he did not. The colonel replied that witness did not do his duty; that as adjutant he should know every thing. He then said that Sergeant-Majors Lilley, Wakefield, and Duval were in conspiracy against him, and he ordered witness to place them under arrest, and said he would speak to General Farrell as to putting sentries over them, and would then let witness know. Afterwards he gave witness a written order to place sentries over their quarters, and no one to be allowed to communicate with them, verbally or otherwise, until further orders, and that during Lilley's arrest Sergeant-Major Cotton would act as regimental sergeant-major. That was on the 26th April, and the sentries were posted accordingly in the front verandah, outside the building (here the witness referred to the model). A few days afterwards Colonel Crawley asked witness did he know what "close arrest" was, and he said that close arrest meant that sentries should not lose sight of their prisoners night or day, and he ordered the sentries to be placed inside. Sergeant-Major Cotton then remarked that Lilley was a married man. The colonel answered, "Officers or soldiers, married or single, I don't care a damn, the duty shall be done," and he ordered Cotton to see the duty done. Witness believes that Mrs. Lilley was then sick, and Lilley had to rub liniment on her chest every day. Major Sweeney, Captain Weir, and Quarter-Master Wooden were present at that order, and Sergeant-Major Cotton, if not actually in the room, must have been just outside. Witness then laid the written order for posting the sentries before the colonel for approval, and he added one or two words in his own handwriting. Witness had no copy of the orders. Witness was ill about that time, and Cornet Snell became adjutant (the 4th of May), and witness resumed duty on the 16th May. On the 22nd May he was suspended. Witness knew Lilley since 1859. Lilley had always the highest character for sobriety. Witness never received orders from Colonel Crawley to remove the sentries from inside Lilley's quarters. On returning from leave of absence at Lucknow, witness wrote a letter to the acting adjutant for the information of Sir Hugh Rose, in consequence of remarks made by Sir Hugh on witness respecting the Mhow Court-martial, and also in consequence of remarks made by Colonel Crawley at the court-martial. On the day after witness wrote that letter Colonel Crawley sent for witness, made some remarks on witness's letter, and gave it back to witness, saying that if witness wished he would forward it, or witness might make changes in it if he wished. Witness made some changes in it, and returned it with a request to forward it to Sir H. Rose. In a fortnight afterwards Colonel Crawley sent for witness again, and read a letter written by Major Champion by order of General Farrell (produced), dated November 12th, 1862. In consequence of General Farrell's letter, characterizing witness's appeal to Sir Hugh Rose as an act of insubordination, witness did not forward his letter to Sir Hugh Rose. The letter from Major Champion, assistant-adjutant-general, was now read. It said that General Farrell considered Lieutenant Fitzsimon's appeal to Sir Hugh Rose to be a very insubordinate course, and highly dangerous to his own prospects. "The major-general gathers from your letter (No. 429) that you have already pointed this out to him, and endeavoured to open his eyes to the perversions he labours under; but, to make sure of this, and in order that he may have full opportunity of judging what the opinion of superior authority must be in his ill-judged appeal, you are permitted to give him the opportunity of withdrawing it after he has perused your letter (No. 429); and should he after so doing fail to perceive that he is likely to bring on himself professional

ruin, the major-general will then forward his appeal, with remarks on same, for consideration of the commander-in-chief." The letter of the witness, which General Farrell considered to be insubordinate, was then called for, and the witness produced it. It was dated the 3rd November. It expressed regret that Sir Hugh Rose considered his testimony at Captain Smales's court-martial to be unsatisfactory, and repeated that in posting the sentries he had simply obeyed Colonel Crawley; it denied that he was at all blind, as alleged by Colonel Crawley, and stated that he had brought the matter before him (Sir H. Rose) not through any disrespect for Colonel Crawley, but to remove an unfavourable impression as to himself, which would ruin his military prospects.

On being recommended to withdraw it, witness wrote a conditional letter of withdrawal.

Lieutenant Fitzsimon was cross-examined at considerable length. Attempts were made to show inconsistencies between his evidence in chief and in cross-examination. The witness stated that he did not know that at the time the sergeant-major was under arrest Mrs. Lilley, so far from being ill and confined to her home, was able to go about the camp, and did, in fact, go about and converse with her friends. Of course, if Mrs. Lilley had been up and about, the witness could have gone to her house to post the sentries without inconveniencing her. With respect to the second bungalow being bomb-proof, he should say that it would be more unhealthy than if it was not. In writing the letter of remonstrance to Colonel Crawley, the witness obtained the assistance of Quarter-Master Wooden. He showed it to several officers. He never gave the letter or a copy of it to Captain Smales; and, having withdrawn the charges he made against Colonel Crawley, he only renewed them when the matter attracted the attention of the Horse Guards. A letter was put in and read, from Colonel Crawley to the Adjutant-General, dated the 10th of November, 1862, which called attention to the remonstrance of the Lieutenant. When that letter was read to Mr. Fitzsimon he withdrew his charges against his colonel, but only, as he explained, because his letter was declared by General Farrell to be an act of insubordination.

Major Champion, of the Bombay Staff, gave important evidence. He said that the bungalow in which Lilley was confined was larger than those usually allotted to sergeants in India. The largest room was 34 feet 6 inches by 16 feet; the two inner rooms 14 feet by 16 feet; the two rear 10 feet square. The building stood on the parade ground. It had a verandah in front. From this two doors communicated with the large room, which had a vaulted roof of masonry. The inner rooms were similarly vaulted. The masonry walls of the bungalow were two feet thick. Sergeant-Major Lilley and his wife had during his confinement free access to five rooms and a verandah. The room in which Lilley was confined was not a "bomb-proof" building formerly occupied as stables, unfit for the occupation of man, and since pulled down. It was not more like an oven than a human habitation; nor was it like the Black Hole at Calcutta. Captain Dunne and his wife and servant occupied a similar house for several months. The counterpart of that bungalow was now the female hospital of the 6th Dragoons. Lilley was removed to the second bungalow on the 6th of May. This was similar to the quarters occupied by the married men of the regiment, and it had the advantage over many married quarters, of having a verandah on two sides instead of one. The witness here described the model of the second bungalow.

Cross-examined.—Witness never visited Lilley during his confinement. Wit-

ness does not recollect whether there was a "chick," or bamboo screen, to the doorway between the outer and inner rooms. The chick admits the circulation of air, but does not allow a passer-by to see into the apartment. It is usual to have such chicks. Witness does not consider the second bungalow to be more unfavourable to health than any other quarter of the establishment. The first bungalow was pulled down. There was a correspondence between Colonel Crawley and the authorities as to pulling it down and providing other quarters for Lilley. Witness read that correspondence, and brought it from India, and gave it to the adjutant-general of the forces.

This correspondence showed that if Lilley did not obtain the comfortable quarters desired, it was not Colonel Crawley's fault. The witness referred to other letters, which were produced, including one from the commander-in-chief (Sir William Mansfield), condemning Lilley's language to his commander, as being unsoldierlike, ordering him to be displaced from his position as sergeant-major, but not sanctioning a court-martial upon him. The letter also justified Colonel Crawley for charging the non-commissioned officers with conspiracy against him.

On the 24th of May witness received—twelve hours before Lilley died—a letter from Colonel Crawley, stating that as Paymaster Smales's defence had closed, there was no reason for keeping the sergeant-majors longer in close arrest, and asking witness to consult the major-general as to placing them in simple arrest, and witness replied on the 25th of May that the major-general permitted the enlargement of Lilley from close to simple arrest. The witness added, "Several times while Lilley was confined, General Farrell spoke to me relative to terminating the close arrest, and the major-general regretted that he could not terminate it, owing to orders from the commander-in-chief at Bombay that they were to remain in close arrest till the final adjournment of Paymaster Smales's court-martial. With that exception Colonel Crawley was, I think, the first person who represented the matter through me to the major-general. The ground on which, as far as I remember, Colonel Crawley suggested that the close arrest might terminate was, that the evidence for the defence being concluded, there was no longer any danger of the sergeant-major being tampered with."

Major Champion, in further cross-examination by the prisoner, said he was in constant communication with Colonel Crawley during the arrest of the three sergeants, and he never remarked any vindictive feeling in Colonel Crawley towards them. On the release of the three sergeants General Farrell, in the presence of the officers and non-commissioned officers, read an address written in witness's handwriting, as follows:—"Colonel Crawley, officers, and non-commissioned officers: His Excellency the Commander-in-Chief desired me in a letter, dated May 6, to dispose of the case of the late Sergeant-Major Lilley, and Troop-Sergeant-Majors Wakefield and Duval, when the court-martial should have finally closed its proceedings. The object of your being here assembled this morning is to have read to you those instructions, and also a despatch which reached me yesterday evening from the commander-in-chief. The assistant adjutant-general will now read first a memorandum dated June 2, and secondly, a letter, No. 13,747, 6th May. (Read accordingly.) Sergeants Wakefield and Duval, you are now released from arrest and from the consequences of your folly. Circumstances over which I had no control have lengthened the period of your arrest and confinement, and by the will of the Almighty your comrade, Sergeant-Major Lilley, has been taken away from among you,



and I deeply deplore his sudden death, and that he cannot have the consolation of forgiveness granted him in your presence. All of you must bear this in mind, and remember it to the last day of your service, that subordination to authorities placed over you is the golden rule of conduct for all soldiers serving her gracious Majesty. The late transactions, so clandestine and improper, so closely resembling mutiny towards your commander, have brought all this sorrow and trouble upon you. The consequences of such conduct were inevitable, and I trust you will hereafter show by your conduct that you have seen your fault in its true light, and strive to regain the confidence of your commanding officer. To the rest of you I have to say, that discipline and your own honour and happiness can only be maintained by your individual conduct in right feeling and subordination." Sergeant-Major Wakefield was present when the address was read, and appeared in perfect health. He did not seem to me at that time to be a "raving maniac."

On re-examination by the prosecutor, a plan was handed to the witness showing that the second bungalow was 9 feet 9 inches high, and he was asked if he still adhered to his statement that it was 12 feet 6 inches high. He said, "The height of the wall is 10 feet 4 inches by scale, but if measured on the outside it is 8 feet. The measurement of 9 feet 9 inches is 7 inches less than the height of the model. During my residence in India I do not remember that I ever occupied government quarters as small and confined as those last allotted to Sergeant-Major Lilley, but I have lived in smaller and worse ventilated rooms in a private bungalow. I define a close arrest to mean that a sentry must be over the prisoner's quarters. It is a mode of arrest resorted to when serious crimes are charged. There are no local orders on the subject in the Bombay Presidency. The matter is discretionary altogether. In the case of Lilley it was necessary to prevent communication with outside parties. To the best of my belief General Farrell was not aware that the sentry was placed inside Lilley's room. Colonel Crawley's order for the arrest stated that no one was to have access to Lilley's room, except by his (Colonel Crawley's) express permission."

A considerable number of commissioned and non-commissioned officers of the regiment testified to being present when Colonel Crawley gave the order that the sentry should not lose sight of Lilley night or day, and, in reply to remarks that the prisoner was married and that his wife was sick, said, "he did not care—married or single, his orders must be carried out." One of the sentries, however, stated that the orders were that the sentries should not go into Mrs. Lilley's bed-room.

These officers were cross-examined at some length on behalf of the prisoner, the object of Colonel Crawley being to show that they bore a grudge against him, and had been reprimanded for the animus they showed in the course of their examination on the former trial. Several witnesses, including Colonel White, spoke most highly of the late sergeant-major.

Private Blake stated that he posted the sentinel outside, according to the usual practice, and was arrested for doing so, and tried by court-martial for neglect of duty.

Sergeant Miles spoke strongly in favour of the prisoner; stated that no undue severity was used to Sergeant-Major Lilley, and that the sentries were posted in the usual manner. Sergeant-Major Lilley drank hard, but witness had never seen him drunk on duty.

Among other witnesses called was Troop-Sergeant Gannaway, who occupied

the quarters in the second bungalow before and after Lilley's confinement in them. He stated that, for accommodation and comfort, they were as good as those of any other sergeant-major in the regiment; indeed, they were cooler, having a canvas roof under the tiles. Whilst Lilley occupied them there were wet mats in the doors and windows to keep the room cool. He said Mr. Lilley was in the habit of taking stimulants, and that one morning he drank seven or eight glasses of brandy and soda-water. On the other hand, the highest testimony to the sobriety and general character of Sergeant-Major Lilley was borne by Lieutenant-Colonel Frederick Fitzwygram, of the 15th Hussars, a letter from whom, as follows, was given in evidence:—"I knew Sergeant-Major Lilley well from his entry into the service up to the period of my exchange with Lieutenant-Colonel Crawley. I can honestly say that during those many years, whether in the lower grades, or as my troop-sergeant-major, or in his after more important capacity as regimental sergeant-major, he was one of the best men I ever met. With regard to his sobriety, to which point I presume your inquiry is more immediately directed, I believe that my intercourse with him, from the time he became my sergeant-major up to the time I left the regiment, in 1860, was so constant and so continuous, that it is impossible that he could have been addicted to drink without my having some knowledge, or at least suspicion of it."

A good deal more evidence was given by soldiers of the regiment respecting the mode in which the close arrest was carried out. A number of corporals and privates who had acted as sentries over Lilley were examined. They did not think the position of the sentries caused any annoyance to Mrs. Lilley. Neither the Sergeant-Major nor Mrs. Lilley had made any complaint. The sentries were ordered not to inconvenience Mrs. Lilley in any way whatever. Several of the witnesses deposed to Sergeant-Major Lilley drinking brandy. On one occasion, according to the evidence of Private Dribble, Lilley drank several glasses of brandy. Another sentry deposed that the sergeant-major invited him to drink brandy, which he had in a bottle in a long boot placed under the couch; and that, when Lilley had finished the brandy, he gave witness the bottle to throw away. A servant of the sergeant-major stated that Lilley was in the habit of drinking spirits, but not to excess. He would take half a dram of arrack in a cup of coffee the first thing in the morning. They said also that Lilley never made any complaints of suffering inconvenience from the way in which the sentries were posted.

Sergeant E. Mills, being cross-examined by Colonel Crawley, said that he saw Lilley drunk in 1844, at the Three Crowns, Nottingham; also at the Victoria, Newcastle-upon-Tyne; also at Scutari on Christmas day; also at Durham, while on the recruiting service; also at Mhow, and at Burhampore, while on the line of march. Witness did not report Lilley for being drunk. No one else to witness's knowledge saw Lilley drunk on those occasions.

Mrs. Ann Cotton, wife of Sergeant-Major Cotton, said, "I was sent for on the evening of the 24th of May, when Sergeant-Major Lilley died. He looked at me very hard, and Mrs. Lilley said, 'Do you know who that is?' He said, 'Yes, it is Mrs. Cotton.' He then took my hand, and said, 'Mrs. Cotton, I am dying.' I said, 'You will soon be better.' He answered, 'No, my child, I never shall.' He took my hand again, and said, 'Good-bye, God bless you.' I then assisted Mrs. Lilley from the bed where her husband was dying, and laid her on a sofa until all was over. I then had her removed into my own quarters, where she remained until about a fortnight before her death."

The medical evidence, which was then proceeded with, formed a very important and interesting part of the inquiry.

Mr. Oliver Burnett, assistant-surgeon 6th Dragoons, said he attended Mrs. Lilley for consumption for more than six months before Lilley's arrest. During the arrest she was in a declining state. The sentry could see into her bed-room, but not distinctly without moving the "chick." Witness could see the sentry's head from the bed-room; and witness, in asking Mrs. Lilley professional questions, always spoke in an undertone, lest the sentry should overhear him. During the arrest she was for many whole days in bed, and also during part of many other days. The witness added, "The position of the sentries must have been an annoyance to Mrs. Lilley, and the inconvenience was not diminished after the 7th of May. Mrs. Lilley, by my orders, took brandy daily, and owing to her extreme debility she could consume four or five glasses daily without injury. I saw Lilley every day during his arrest. He was a sober, steady man. I never saw any appearance of drink about him, either before or during his arrest. On the morning of the 9th of June Colonel Crawley asked me, had I any idea of how much brandy Lilley had consumed during his confinement? The colonel said, Lilley had twenty-three bottles of brandy, twelve of ale, a bottle or two of port wine, and a bottle of gin. I asked him did he wish me to make any addition to our report (of Lilley's case) in reference to the quantity of liquor supplied? The colonel replied, 'No; I have done it,' or, 'I will do it in my report.' I reported Lilley's case to Dr. Turnbull. My report stated that the excessive heat at the season of the year, the constitutional predisposition of the deceased to congestion, the peculiar and painful circumstances of his position, the serious illness of his wife causing depression of spirits, together with bilious and nervous derangement induced by a sedentary life attendant on close arrest in a man of the sergeant-major's active habits, acted as exciting causes to produce the complaint of which he died."

The hospital cases of Troop-Sergeant-Major Wakefield and Troop-Sergeant-Major Duval, both of whom were in hospital after their release with fever, but recovered, were also put in and read; also the regimental casual report of the death of Sergeant-Major Lilley, stated to have died at Mhow, of apoplexy, on the 25th of May, 1862, and other formal medical documents, including the official *post-mortem* examination.

Examination resumed.—The medical opinion expressed by me and Dr. Turnbull in the detailed report I consider correct, and I do not wish to qualify it in any way. The witness then expressed his belief that Colonel Crawley was not aware that the close arrest was fatally injurious to Lilley's health. Witness was on intimate terms with Colonel Crawley and his family, and was daily and nightly in his house, being in attendance in consequence of illness in the family during Lilley's arrest; but he made no representation to Colonel Crawley or any of his family of any injury resulting to Sergeant-Major Lilley from the close arrest. It was at witness's recommendation that exercise was allowed to the three sergeant-majors on the 30th of April. Witness had no doubt that, if representations had been made to Colonel Crawley of the injury resulting from the close arrest, precautions would have been taken. The sergeant-major appeared to be in his usual health up to two days before his death. Neither witness nor any one else expected his death.

The additional report of Dr. Turnbull (in which witness concurred) was then read. It was entitled "Addenda to the detailed medical case of Sergeant-Major Lilley," and it was as follows:—

"In addition to what was stated in my report forwarded yesterday, I have the honour to add that it has been brought to my notice that the deceased was in the habit of drinking a considerable quantity of brandy daily during the period of his arrest, and on inquiry I find the above statement to be correct. It is my opinion that this, in connexion with the other exciting causes before related, was calculated to increase the predisposition to an apoplectic seizure from which he died. The universal reputation which the deceased enjoyed in the regiment for sobriety and steadiness, and the medical officer in his daily visits never having noticed any symptoms of intemperance, precluded all suspicion as to his being addicted to the use of spirits.

(Signed)

"G. A. TURNBULL,

"Mhow, June 9, 1862."

"Surgeon, 6th Dragoons.

Dr. Turnbull, M.D., of the 6th Dragoons, being called, said, Lilley was first allowed to take exercise on the 30th April. Witness had sent in a recommendation to Colonel Crawley that Lilley should be allowed to do so. He was then allowed to take exercise, accompanied by a non-commissioned officer. Witness considered the benefit of the exercise to have been in a great measure nullified by the manner in which it was carried out. Lilley complained to witness that his room was very close and hot, and asked the indulgence of being allowed to sit in the verandah. Witness reported this to Colonel Crawley, who replied, "Why, the sergeant-majors have morning and evening exercise, what more do they require?" No inquest was held on Lilley. Witness thought it a proper case for an inquest, and told Adjutant Davis to ask the commanding officer whether he wished an inquest to be held or not, and Adjutant Davis returned and stated that the commanding officer did not think an inquest necessary. Being further cross-examined, with a view to show that Sergeant-Major Lilley drank a good deal of spirits during the period of his close arrest, the witness stated that he had not visited Lilley during his arrest for the purpose of prescribing for him; and as to the quantity of spirits consumed by Lilley during his arrest, witness knew of it only by what had been stated to him by Assistant-Surgeon Burnett, who reported to him the information which he had received from Colonel Crawley and from Mrs. Lilley as to Lilley's consumption of spirits during his said arrest. Witness had never received any information from other persons.

A great many more witnesses were called, but not examined, on the part of the prosecution, the object being to give Colonel Crawley the opportunity of cross-examining them, of which he availed himself in some instances. A large amount of correspondence and documentary evidence was then put in. Through the whole inquiry the proceedings were much prolonged by the discussion of numerous objections to the admissibility of evidence and arguments as to the conduct of the case. At length, on the seventeenth day of the trial, the case for the prosecution was stated to be closed, upon which Colonel Crawley declared, that it was substantially the case for the defence. He proposed to call a few witnesses, and then to ask for an adjournment, in order to prepare his defence. He put in first a letter containing some important matter from Sir Hugh Rose, the commander-in-chief in India. The letter described Mhow as being comparatively healthy, and denied that Sergeant-Major Wakefield had been sent to hospital as a raving lunatic. It defended Colonel Crawley, and it described Sergeant-Major Lilley as having been habitually an ill-conducted non-commissioned officer, and said that his punishment was well merited. It also said



that the statements made by Mr. Fortescue in the House of Commons were unfounded.

Colonel Crawley then read letters dated at various times since June, 1863, from Colonel Hatch, Deputy-Adjutant-General at Simla; Sir H. Rose, Dr. Beatson, and Sir W. Mansfield. Sir H. Rose's letter stated his opinion, that Lilley might have been tried by court-martial for having disobeyed orders by conniving at the disobedience of other non-commissioned officers in making public the proceedings in Smales's court-martial, and for having uttered "violent and beastly language" in regard to Colonel Crawley; also that the non-commissioned officers were in a cabal against Colonel Crawley, and that Lilley had hastened his death by drinking. Dr. Beatson's letter said that Lilley's death was caused by drinking. The other letter also condemned Lilley.

Captain F. G. S. Curtis (6th Dragoons) was then called, and he deposed to having been present at interviews between Lieutenant Fitzsimon and Colonel Crawley at Mhow, when Lieutenant Fitzsimon did not assign any reason for his not having been present when the sentries were posted at Lilley's residence. When Colonel Crawley was under arrest in August at Mhow, Colonel Christy, of the 9th Native Regiment, came to Colonel Crawley's bungalow, and said the men of the regiment had turned out, and requested Colonel Crawley to drive by where they were, near the church at Mhow, and when Colonel Crawley arrived near the church, the men gave him three cheers, and said, "God bless you, colonel, we hope you will soon return." Colonel Crawley thanked them, and drove away amidst the cheers of the men.

Captain W. H. J. Clarke (72nd Highlanders) deposed that he was present when Colonel Crawley was told that the sentries had been placed over Lilley's wife. Colonel Crawley expressed surprise at that, and ordered the adjutant (Snell) to mount his horse instantly, and see if such was the case, and if so, to remove the sentries.

Captain J. McNeill (72nd Highlanders) corroborated.

Lieutenant H. J. Wallace (6th Dragoons) deposed to having been present in April, 1862, when Colonel Crawley and Quarter-Master Wooden had a conversation respecting an article in the "Deccan Herald," which had been written by Mr. Smales, and Wooden said he did not hear Colonel Crawley use the words, "Married or single, officer or soldier, I don't care," &c., and Colonel Crawley obtained a written letter from Wooden to that effect.

Ardusia Franjee, a native dealer at Mhow, said, "This paper contains a true copy of liquors supplied by me to Sergeant-Major Lilley in March, April, May, and June, 1862." The paper set forth as follows:—

"Regimental Sergeant-Major Lilley, Dr. to Ardusia Franjee.

"March 16th, 1 bottle of ale; 18th, 1 dozen porter; 23rd, 2 bottles of brandy; 26th, 2 ditto; 31st, 2 ditto; April 6th, 2 ditto; 8th, 1 dozen pints of ale; 10th, 2 bottles of brandy; 15th, 2 ditto; 18th, 2 ditto; 22nd, 2 ditto; 26th, 2 ditto; 28th, 1 ditto; May 3rd, 1 ditto; 4th, 6 pints of ale, 2 bottles of brandy, 1 port wine; 7th, 1 bottle of brandy; 8th, 2 ditto; 9th, half-a-dozen pints of ale, 2 bottles of brandy; 12th, 2 bottles of brandy; 14th, 2 ditto; 16th, 2 ditto; 18th, 1 bottle of port wine; 19th, 2 bottles of brandy; 21st, 2 ditto; 25th, 2 ditto, 1 bottle of gin; 29th, 1 bottle of brandy; June 5th, 1 bottle of brandy.—True copy from my book, dated 8th June, 1862. Total amount, 103 rupees, 11 annas."

Cross-examined.—Witness supplied Lilley with spirits during his arrest through his gorawallah, or horsekeeper. Witness himself supplied the liquors to Lilley

on a few occasions. His servant supplied them on other occasions. Witness supplied Mrs. Lilley with brandy after Lilley's death. Witness did not know who came to his shop for said liquors. He sent them according to the pass-book, but he did not know what became of the pass-book. It was not here. After Lilley's death witness bought some of Lilley's things, and deducted the sum due to him for the liquors, and paid the balance to Mrs. Lilley.

The evidence for the defence was then closed, and a week was given to Colonel Crawley to prepare his defence.

On the 17th of December, the Court having reassembled, Colonel Crawley first put in evidence the books of the regiment, showing that, since he had held the command, the proportionate number of courts-martial had been fewer than at any time before. He then proceeded to read his defence, which began by condemning in strong terms the malicious course pursued by his enemies and by a portion of the press, whose object was, through him, to attack a system, and to abolish military discipline. He congratulated himself that he was at length brought to answer to the charges against him before a Court in whose judgment he had full confidence, and could safely say he believed that the day of his trial was the day of his deliverance. It had been said that at the Mhow Court-martial he had been guilty of the grossest persecution, and had suborned false testimony. If there had been any ground for such a charge, why was it not proceeded with? It had been said that he had been guilty of unwarrantable cruelty in causing the arrest of the three sergeant-majors; but, if he had, why did not that charge form part of the present indictment, that he might have had the opportunity of answering it? Those who knew the facts, were aware that he had acted properly, and the opinions of those who did not he could afford to despise. He had no wish to shield himself under the protection of superior officers, though it was gratifying to him that the course he had adopted had met with the approbation of his superiors. It was said he had acted under the influence of ill-feeling towards Sergeant-Major Lilley; but surely no one would charge Major-General Farrell, Sir W. Mansfield, and Sir H. Rose with having so acted, or with having approved of his conduct because they too held a grudge against the sergeant-major. He held that the severity he had exercised was necessary to the restoration of discipline in the regiment, which, if he had been allowed, he would have proved was in a state of insubordination when the court-martial on Paymaster Smales was instituted. He should like to have had the opportunity of proving what was the state of the regiment when he took the command, by the production of the letter from the Horse Guards to Colonel Shute. This, however, had been denied him, and it was not open for him now to assert what he might, had his application been allowed, have proved. He called upon the Court to consider what was his position when he took the command of a regiment in a state of insubordination arising from a long-standing demoralization. This was evident from the letter of the commander-in-chief. Of all cases of insubordination, that which existed above the ranks was the most fatal and irremediable. It was necessary that soldiers should be subject to a stricter discipline than civilians, and his having acted in this spirit had prevented, as he believed, a catastrophe. He had intended, and had been always ready, to proceed with the trial of the sergeant-majors. If they were not tried the fault was not his, but his superiors'. He contended that the question at issue between him and the officers and non-commissioned officers of the Inniskillings was that of mutiny or no mutiny. Referring to the specific charges upon which he was arraigned, he complained of their vagueness; adding that it was difficult

for him to know what he had to meet. But, accepting the charges in all their vagueness, he appealed to the Court, now that the evidence for the prosecution was concluded, was there any proof whatever—admitting that the arrest was justifiable—that in the mode of carrying it out there was any thing bearing the character of “unnecessary and undue severity,” or “great or grievous hardship?” As he was not charged with the illegality of the arrest, he was justified in assuming that the arrest was necessary. Then he came to the charge of undue severity. Why, close arrest was necessarily severe, and it was not his fault, nor did it justify any change from the ordinary course of proceeding, that Sergeant-Major Lilley was of plethoric habits, and had a sick wife. If it did, then the sooner such men left the service the better. Even in civil life at home, the physical condition of the criminal or his domestic circumstances did not alter the punishment when a conviction for crime took place. If any thing ought to be laid to his charge, it was rather excess of leniency than too great severity. He might have placed Sergeant-Major Lilley in solitary confinement; but, considering the condition of Mrs. Lilley, he did not wish, even in his disgrace, to deprive the sergeant-major of the solace of his wife’s society. He then proceeded to show that the bungalows were not “bomb-proof ovens,” nor like the “hold of a slave-ship,” and contended that the death of Lilley was not, to any appreciable extent, due to his confinement. He also asserted that the privacy of Mrs. Lilley was not intruded upon, but, if it were, it was clearly not his fault, but that of Lieutenant Fitzsimon. He laid stress upon the fact that Lilley had never complained. Finally, he contended that, on every ground, he was entitled to a complete acquittal. Colonel Crawley’s address, which occupied some hours in the delivery, was listened to throughout with the greatest attention, and was greeted with hearty applause at the close.

Several distinguished officers were then called, and bore strong testimony to Colonel Crawley’s gentlemanly, honourable, and humane character.

Sir Alfred Horsford, the prosecutor, replied on the case. He defended the witnesses from the charge of perjury, which Colonel Crawley had insinuated rather than charged against them. He contended that the arrest, as carried out by Colonel Crawley, was not only cruel, but illegal; for Paymaster Smales had a right to communicate with his witnesses, which he could not do in the case of Sergeant-Major Lilley; and, by the articles of war, no prisoner ought to be subjected to military confinement for more than eight days without being brought to trial. The release of the sergeant-major ought to have been carried out a fortnight sooner than it was, and for what happened during that fortnight Colonel Crawley was responsible.

The Court was then closed, and the members proceeded to consider their finding.

On the 23rd of December the finding of the court-martial was submitted to the Queen, and received the Royal approval. The decision was in these terms:—

“The Court, having duly considered the evidence in behalf of the prosecution, the evidence the prisoner has adduced, and what he has stated in his defence, and the prosecutor’s reply, is of opinion, with regard to the first charge, that he, the prisoner, Lieutenant-Colonel Thomas R. Crawley, of the 6th Dragoons, is *Not Guilty*.

“With regard to the second charge the Court is of opinion that he, the prisoner, Lieutenant-Colonel Thomas R. Crawley, is *Not Guilty*.

“The Court does, therefore, fully and honourably acquit him, Lieutenant-Colonel Thomas R. Crawley, of both the charges preferred against him.”

To the finding of the Court were appended some unfavourable comments upon the manner in which particular witnesses for the prosecution had given their evidence at Aldershot.

This decision met with the general approval of the country. Indeed it may be observed that some time before the case for the prosecution had reached its close, a reaction began to take place in the public mind, as the evidence that appeared day by day in the newspapers dispelled the cloud of prejudice which, owing to the misrepresentations and exaggerated statements of a portion of the press, had gathered round Colonel Crawley's name. As the case went on, it began to be generally felt that the errors of that officer, whatever they might be, amounted at worst only to mistakes of judgment, and that the unfortunate fate of the sergeant-major, which was the subject of the inquiry, was in some measure, at least, attributable to his own habits and physical constitution. The verdict of acquittal, therefore, which the Court pronounced upon the present charges had been generally anticipated, and was by most persons acquiesced in as just. In some quarters, indeed, and especially in military circles, a reaction in the opposite extreme—a not unnatural consequence of the former adverse prejudice—was now manifested. Efforts were now made to represent the acquitted officer as a perfectly blameless martyr, and no sparing censures were thrown upon the military authorities for having so far yielded to popular clamour and the misrepresentations of the press as to subject a meritorious officer to the scandal of a prosecution by court-martial upon charges which the evidence had proved to be destitute of foundation. The sympathy felt for Colonel Crawley was not only expressed in words, but was more substantially evinced by a subscription which was set on foot to assist him in meeting the heavy expense which he had incurred in his defence. From this liability, indeed, the Government afterwards released him, by undertaking to defray all the expenses of his defence, except only the fees paid to his counsel, such legal assistance not being recognized as part of the procedure of courts-martial. But whatever criticisms may be pronounced on the conduct of those who authorized the prosecution, it may be regarded as certain that nothing else but a full and public investigation in this country would have effectually cleared Colonel Crawley's fame, or satisfied the feelings of the nation, which, however unduly excited they may have been, in consequence of the inflamed statements received from India, originated beyond all doubt in a sincere belief that the case was one in which the interests of justice and humanity were at stake, and not in any personal enmity or malice against the officer, whose name, except in military circles, was scarcely known. Shortly after the finding of the Court had been communicated to the public, the views of His Royal Highness the Commander-in-Chief were made known in the following official memorandum:—

“Horse Guards, January 14, 1864.

“After a patient and protracted trial the court-martial on Lieutenant-Colonel Crawley has been brought to a close by the full and honourable acquittal of that officer.

“The Judge-Advocate-General has submitted to Her Majesty to confirm and approve the proceedings, and the Field-Marshal Commanding-in-Chief has recommended to Her Majesty that the verdict of the Court should be now carried out.

“Lieutenant-Colonel Crawley will therefore resume the command of the 6th Inniskilling Dragoons with the least possible delay, and His Royal Highness trusts that he will prove by tact and judgment in the performance of his duties



that he appreciates the importance of his position as a commanding officer, and that the painful experience of the past has not been lost upon him.

“For it is only by a happy combination of temper, judgment, and discretion, united with firmness, that the command of a regiment can be properly conducted, and the more difficult the elements with which a commanding officer may have to deal, the more requisite is it for him to possess and exercise those qualifications for command.

“The Court has remarked on the *animus* displayed by Major Swindley in giving his evidence, and has further noticed the evasive, hesitating, and unsatisfactory character of the evidence of Surgeon Turnbull and Lieutenant and Adjutant Fitzsimon.

“In the proceedings of the Mhow Court-martial both Major Swindley and Surgeon Turnbull were similarly reflected upon.

“His Royal Highness was disposed on that occasion to give these officers a further trial, and did not remove them at that period from the Inniskilling Dragoons, but he feels that he cannot again treat them with a like leniency.

“Major Swindley has, unfortunately, not availed himself of the forbearance then shown to him. He has not ceased to entertain feelings which strike at the root of all discipline.

“His continuance in the 6th Dragoons can therefore no longer be permitted, and he will be removed from the regiment accordingly.

“Surgeon Turnbull, in like manner, has laid himself open to the gravest censure. His conduct with reference to the entries in the Hospital Records will become the subject of further inquiry, and, should his explanations not prove satisfactory, most serious notice must necessarily be taken of his proceedings; but, at all events, his continuance in the Inniskilling Dragoons has become impossible.

“Lieutenant and Adjutant Fitzsimon has, by his replies and evasive answers, proved himself utterly unfit for the post of adjutant, the duties of which he carried out in so unsatisfactory a manner, as proved by his own evidence.

“It is further most undesirable that he should continue in the 6th Dragoons. He therefore will likewise be removed from the regiment.

“The general tone and temper evinced by a portion of the officers of the Inniskilling Dragoons is most deplorable. When the Field-Marshal Commanding-in-Chief issued his Memorandum on the Mhow Court-martial, he was not, as he is now, aware of the extent of ill-feeling which actually prevailed.

“Discipline cannot be maintained when such views are entertained by any portion of the officers of the regiment, and it greatly redounds to the credit of the corps generally, that its efficiency did not suffer more by the insubordinate and defiant tone manifested by some of its leading members.

“The sad and painful lesson which has been experienced by all will, it is hoped, not be forgotten by those who have escaped censure.

“Without discipline an army is worse than useless, and, under all circumstances, it must, therefore, be maintained.

“His Royal Highness, having had a personal and intimate knowledge of what the Inniskilling Dragoons were in former days, is most painfully impressed with the altered tone of the regiment in respect of too many of its officers which is now brought to his notice. Bad elements must have been introduced, which have tended to this lamentable change in a corps second to none in former days, both as regards discipline and efficiency.

“The Field-Marshal Commanding-in-Chief trusts that the decisive steps now

taken may at once and for ever put a stop to similar practices, alike destructive to the interests of the corps and to those of the individuals concerned.

“His Royal Highness cannot conclude these remarks without observing that he considers it due to the Commander-in-Chief in India to state that, while he is still of opinion that the character for sobriety of Sergeant-Major Lilley up to the period of his arrest was supported by the evidence before the Court, statements were subsequently made to Sir H. Rose, borne out by the opinions of the medical officers of the regiment, which explain to the Field-Marshal Commanding-in-Chief the grounds upon which that distinguished general officer made the observations on that portion of the case included in his remarks on the Mhow Court-martial.

“By command of His Royal Highness the Field-Marshal Commanding-in-Chief.

“W. F. FORSTER,

“Military Secretary.”

# APPENDIX.

## PUBLIC DOCUMENTS AND STATE PAPERS.

### THE DANISH MARRIAGE TREATY.

*Treaty between Her Majesty and the King of Denmark, for the Marriage of His Royal Highness the Prince of Wales with Her Royal Highness the Princess Alexandra, Daughter of Prince Christian of Denmark. Signed at Copenhagen, January 15, 1863. Ratifications exchanged at Copenhagen, February 4, 1863.*

In the Name of the Holy and Blessed Trinity.

BE it known unto all men by these presents, that whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part, and His Majesty the King of Denmark, on the other part, being already connected by ties of friendship, have judged it proper that an alliance should be contracted between their respective Royal Houses, by a marriage agreed to on both sides, between His Royal Highness Albert Edward, Prince of Wales, Duke of Saxony, Prince of Saxe-Coburg and Gotha, &c., &c., eldest son of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and of His Royal Highness the Prince Consort, Prince Albert of Saxe-Coburg and Gotha, and Her Royal Highness the Princess Alexandra Caroline Maria Charlotte Louisa Julia, eldest daughter of His Royal Highness the Prince Christian of Denmark;

The two high betrothed parties, as also His Royal Highness the Prince Christian of Denmark, and Her Royal Highness the Princess Louisa Wilhelmina Frederica Caroline Augusta Julia, His Royal Highness' Consort, having declared their consent to such alliance; in order, therefore, to attain so desirable an end, and to treat upon, conclude, and confirm the Articles of the said marriage, Her Britannic Majesty on the one part, and His Majesty the King of Denmark on the other, have named as their plenipotentiaries, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland,

Augustus Berkeley Paget, Esquire, Her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Denmark;

And His Majesty the King of Denmark, His Excellency Carl Christian Hall, His Majesty's Privy Councillor of Conferences, President of the Council and Minister for Foreign Affairs, Grand Cross of the Order of Dannebrog, decorated with the Cross of the Dannebrog, Grand Cross of the Royal Swedish Order of the Star of the North, of the Royal Norwegian Order of St. Olaf, of the Royal Sicilian Order of Constantine, of the Royal Spanish Order of Charles the Third, of the Persian Order of the Sun and Lion, of the Royal Hanoverian Guelphic Order, of the Royal Italian Order of St. Mauritius and St. Lazarus, and of the Tunisian Order of Nichan Eftikhar;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:—

#### ARTICLE I.

It is concluded and agreed that the marriage between His Royal Highness Albert Edward Prince of Wales, Duke of Saxony, Prince of Saxe-Coburg and Gotha, &c., &c., eldest son of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and of His Royal Highness the Prince Consort, Prince Albert of Saxe-Coburg and Gotha, and Her Royal Highness the Princess Alexandra

Caroline Maria Charlotte Louisa Julia, eldest daughter of His Royal Highness the Prince Christian of Denmark, shall be solemnized in person, in that part of the United Kingdom of Great Britain and Ireland called Great Britain, according to the due tenour of the laws of England, and the rites and ceremonies of the Church of England, as soon as the same may conveniently be done.

## ARTICLE II.

Her Britannic Majesty engages that His Royal Highness Albert Edward Prince of Wales, Duke of Saxony, Prince of Saxe-Coburg and Gotha, &c., &c., shall secure to Her Royal Highness the Princess Alexandra Caroline Maria Charlotte Louisa Julia, out of any revenues belonging to His Royal Highness or granted to their Royal Highnesses by Parliament, the annual sum of ten thousand pounds, to be paid half-yearly to Her Royal Highness for her sole and separate use, and without any power of anticipation, during the period of their Royal Highnesses' marriage.

## ARTICLE III.

Her Britannic Majesty engages to re-

commend to her Parliament that Her Majesty shall be enabled to secure to Her Royal Highness the Princess Alexandra Caroline Maria Charlotte Louisa Julia, in case Her Royal Highness should have the misfortune to become the widow of His Royal Highness the Prince of Wales, the annual sum or payment of thirty thousand pounds sterling money of Great Britain, in lieu of dower; the said sum being, in such case, to be paid by quarterly payments to her said Royal Highness or to her assigns.

## ARTICLE IV.

The present treaty shall be ratified by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and by His Majesty the King of Denmark, and the ratifications shall be exchanged at Copenhagen as soon as possible.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Copenhagen, the fifteenth day of January, in the year of our Lord one thousand eight hundred and sixty-three.

A. B. PAGET. (L.S.)  
C. C. HALL. (L.S.)

## CORRESPONDENCE RESPECTING THE INSURRECTION IN POLAND<sup>1</sup>.

*Earl Russell, Her Majesty's Secretary of State for Foreign Affairs, to Lord Napier, Her Majesty's Ambassador at St. Petersburg.*

Foreign Office, March 2, 1863.

My Lord,

Her Majesty's Government view with the deepest concern the state of things now existing in the kingdom of Poland. They see there, on the one side, a large mass of the population in open insurrection against the Government; and, on the other, a vast military force employed in putting that insurrection down. The natural and probable result of such a contest must be expected to be the success of the military forces. But that success, if it is to be achieved by a series of bloody conflicts, must be attended by a lamentable effusion of blood, by a deplorable sacrifice of life, by wide-spread desolation, and by impoverishment and ruin, which it would take a long course of years to repair.

Moreover, the acts of violence and destruction on both sides, which are sure to accompany such a struggle, must en-

gender mutual hatreds and resentments, which will embitter, for generations to come, the relations between the Russian Government and the Polish race.

Yet, however much Her Majesty's Government might lament the existence of such a miserable state of things in a foreign country, they would not, perhaps, deem it expedient to give formal expression to their sentiments, were it not that there are peculiarities in the present state of things in Poland which take them out of the usual and ordinary condition of such affairs.

The kingdom of Poland was constituted, and placed in connexion with the Russian Empire by the treaty of 1815, to which Great Britain was a contracting party. The present disastrous state of things is to be traced to the fact that Poland is not in the condition in which the stipulations of that treaty require that it should be placed.

Neither is Poland in the condition in which it was placed by the Emperor Alexander I., by whom that treaty was made.

During his reign a National Diet sat

<sup>1</sup> Selected from Papers presented to Parliament in the Session of 1863.



at Warsaw, and the Poles of the kingdom of Poland enjoyed privileges fitted to secure their political welfare.

Since 1832, however, a state of uneasiness and discontent has been succeeded from time to time by violent commotion and a useless effusion of blood.

Her Majesty's Government are aware that the immediate cause of the present insurrection was the conscription lately enforced upon the Polish population; but that measure itself is understood to have been levelled at the deeply-rooted discontent prevailing among the Poles in consequence of the political condition of the kingdom of Poland.

The proprietors of land and the middle classes in the towns bore that condition with impatience; and if the peasantry were not equally disaffected, they gave little support or strength to the Russian Government.

Great Britain, therefore, as a party to the treaty of 1815, and as a power deeply interested in the tranquillity of Europe, deems itself entitled to express its opinion upon the events now taking place, and is anxious to do so in the most friendly spirit towards Russia, and with a sincere desire to promote the interest of all the parties concerned. Why should not His Imperial Majesty, whose benevolence is generally and cheerfully acknowledged, put an end at once to this bloody conflict by proclaiming mercifully an immediate and unconditional amnesty to his revolted Polish subjects, and at the same time announce his intention to replace without delay his kingdom of Poland in possession of the political and civil privileges which were granted to it by the Emperor Alexander I., in execution of the stipulations of the treaty of 1815?

If this were done, a National Diet and a National Administration would, in all probability, content the Poles, and satisfy European opinion.

You will read this despatch to Prince Gortchakoff, and give him a copy of it.

I am, &c.

(Signed) RUSSELL.

*Lord Napier to Earl Russell. (Received March 18.)*

St. Petersburg, March 9, 1863.

My Lord,

In conformity with your Lordship's orders I waited on Prince Gortchakoff this forenoon, and placed in his Excellency's hands your Lordship's despatch of the 2nd instant, embodying the views of Her Majesty's Government in reference to the affairs of Poland.

The Vice-Chancellor first read over

your Lordship's despatch in silence. His Excellency then stated that, acting in a spirit of conciliation, he would offer no written reply to the observations of Her Majesty's Government. He would entrust the duty of conveying his sentiments on this occasion to me, and he would request me to show him the draft of my report before forwarding it to your Lordship. The Vice-Chancellor also stated his wish to be enabled to submit my record of his expressions to His Majesty the Emperor along with your Lordship's instruction, in order that His Imperial Majesty might have at once a complete view of this exchange of opinions between the two Governments.

To these proposals on the part of the Vice-Chancellor I acceded.

Prince Gortchakoff then read over your Lordship's despatch aloud.

The first and second paragraphs of your Lordship's despatch affirm the deep concern with which Her Majesty's Government contemplate the deplorable condition of Poland at this conjuncture, and the unsatisfactory results which Her Majesty's Government anticipate from the mere triumph of the Russian forces over the parties in arms against the Imperial authority.

Here the Vice-Chancellor remarked that the concern expressed by Her Majesty's Government was more than shared by the Emperor and his Government. The heart of His Imperial Majesty was painfully affected by the effusion of blood contingent on this unhappy revolt, by the diminution of material welfare which is inseparable from civil commotion, and by the contemplation of resentments which might possibly survive these incidents, but for which the Imperial Government could not hold themselves responsible.

The following paragraphs of your Lordship's instruction define the position of Poland in relation to the stipulations of the treaties of 1815. On this point the Vice-Chancellor reserved his opinion for after-statement. His Excellency proceeded at once to the eighth paragraph of the despatch, in which your Lordship affirms that the immediate cause of the present insurrection was the conscription lately enforced upon the Polish population.

The Vice-Chancellor contended that the recent measure of military recruitment was the pretext, not the provocation, of the revolt. The Polish insurrection, said his Excellency, was the result of a conspiracy deeply laid and widely organized in foreign capitals, from which he could not except London. The explosion had merely been accelerated by

the military levy. Of the origin, development, and objects of that conspiracy, the Imperial Cabinet had been well informed. It was a democratic and "anti-social" movement, conceived in the pernicious notions of which Mazzini was the author and the symbol, and in these designs the Poles had been enlisted by flattering their natural illusions, which pointed to very different objects from those which the practical policy of English statesmen regarded—to the severance of Poland from the Russian Crown, to national independence, to the restoration of the limits of 1772. Far from being the cause of the present outbreak, the military recruitment had been undertaken in order to avert it and all the calamities which had ensued upon it, to remove the inveterate promoters of disturbance, and to open a fair course for the benevolent measures projected by the Emperor. The insurrection had only included the mechanics of the towns, the indigent nobles, and the rustic clergy. The landed proprietors and great nobility had collected for security under the guns of the citadel of Warsaw; the peasantry were decidedly on the side of Government, moved by a sense of the benefits which the Imperial Government had conferred on their order, and disgusted by the exactions imposed upon them by the roving bands of marauding insurgents. Some of the upper classes might, indeed, join in the patriotic delusions of national restoration in its ancient boundaries, but their eyes only remained sealed to the absurdity of such expectations in consequence of the countenance given to them by foreign Governments. Some of these persons might take part in the movement, but the Governments which afforded such countenance would hereafter regret the results of a policy which could only enlarge the circle of suffering and misfortune.

Reverting to the previous paragraphs of your Lordship's despatch respecting the position of Poland under the treaties of Vienna, and associating them with the subsequent passages in which your Lordship sets forth the motives and claims of Great Britain to interfere as one of the signing parties to these engagements, the Vice-Chancellor expressed himself as follows:

Laying open the treaty of Vienna, his Excellency pointed to that passage in Article I. by which it is stipulated that the national institutions to be accorded to the several members of the Polish nation shall be regulated by the form of political existence which their respective Governments shall judge it to be useful and convenient to grant to them.

Here I called the attention of the Vice-Chancellor to the use of the term "representation," as well as that of "national institutions."

The Vice-Chancellor resumed. His Excellency remarked that under this Article the Russian Government remained the absolute arbiter of the form in which the representation and national institutions of Poland should be framed. The Emperor Alexander I., using his indisputable prerogative in a liberal and even in an enthusiastic sense, had, some time after the conclusion of the treaty referred to, spontaneously granted to the kingdom of Poland a representative constitution which had not proved consistent with the peace and welfare either of Poland or Russia. That constitution had never been imparted to foreign powers as involving the execution of international engagements. We all know under what circumstances it had perished. What the Emperor Alexander did in the plenitude of his power, his successor in the exercise of the same power could revoke. The present Emperor, ever faithful to the principles of government which he applied in Russia, had applied these principles in Poland too, and perhaps in a larger measure than had been granted in any other portion of his dominions. The political constitution proclaimed in Poland in the year 1861 embodied a complete autonomy,—national institutions with a modified representation adapted to the form of political existence in force under the Imperial Government. Poland was now ruled by institutions purely Polish. There was a directing Minister, a Pole, entertaining national sentiments of the most decided character; a council of administration composed of Poles; a council of state containing Poles taken from the several ecclesiastical and civil orders of the community, and embodying some representative elements, in which general laws for the welfare of the kingdom were elaborated; there were provincial, district, and municipal councils in descending order, all purely elective, charged with the local and material interests of the country. This national representation was not cast in the same mould as that which was designed by the Emperor Alexander, or that which existed in England, but it formed, nevertheless, a system of national and representative institutions adapted to the condition of Poland and its relations with Russia. Her Majesty's Government, composed of practical statesmen, the representatives of a practical nation, would not surely contend that there was only one valid and useful form of political institutions equally applicable to all countries, that, namely, which existed in England,

and which was successful there. Nor would Her Majesty's Government, which professed non-intervention as the rule of their foreign policy, deviate from that principle now by interfering in the domestic concerns of another state. The kingdom of Poland enjoyed an absolute administrative independence. Even the department for Polish affairs in the Russian capital had been abolished. The only institution common to the two countries now was the army. The new institutions granted to Poland, alluded to above, opened a wide field of activity and material prosperity to the country. But this was not all. The Imperial Government, in restoring the educational establishments of the kingdom, had offered to the people the resources of intellectual culture and satisfaction. If to these institutions we added the guarantee by which they were all preserved, the personal character of the Emperor, who cherished an equal solicitude for the good of all his subjects, we should have a sufficient security for the future welfare of Poland, though the scheme might exclude that peculiar form of representative government applied in Great Britain, and perhaps exclusively appropriate to its condition.

With reference to the rights of England in relation to the affairs of Poland, under the treaty of Vienna, the Vice-Chancellor remarked that he had little to say on this occasion; that question had been fully and ably discussed in the correspondence which had passed between Her Majesty's Government and the Imperial Cabinet after the revolution of 1831. To that correspondence he begged to refer your Lordship.

In regard to the amnesty recommended by Her Majesty's Government, the Vice-Chancellor observed that a prompt and unconditional pardon could not be granted to those who were actually in arms against the authority of the Emperor. The friendly character which Her Majesty's Government had given to their representations justified him, however, in spontaneously stating that it had always been the intention of the Emperor to grant a large measure of amnesty to his revolted subjects after the cessation of resistance, excluding only the principal authors of a movement which had caused so many calamities in the kingdom.

In the course of this conversation I did not consider it to be my duty to enter at large upon any controversial matter with the Vice-Chancellor. I did, however, offer two reflections to his Excellency in the way of reservation, which I trust will be found consistent with the views of Her Majesty's Government.

When the Vice-Chancellor spoke of the

plenitude of power which had been exercised by the Emperor Alexander I., and which had been transmitted unimpaired to His Majesty's successor, I remarked that, in my opinion, and in that (I believed) of my Government, the power of the Russian Sovereign in regard to Poland could only be justly exerted within the limits, and in conformity with the prescriptions, of the treaty of Vienna. When his Excellency appeared to claim the silence of England on the ground of the principle of non-intervention professed by Her Majesty's Government, I contended that this principle could not be invoked here, for Her Majesty's Government did not here raise their voice in a question regarding exclusively the internal concerns of a foreign country, but in a question of an interior nature, with reference to which that foreign country had contracted engagements towards Great Britain; engagements which, in our opinion, had never been annulled.

In commenting upon these observations, Prince Gortchakoff again referred to the terms of the treaty of Vienna, which had constituted each of the three powers concerned in Poland, the absolute arbiter of the form of national institutions to be conferred on the portion of that country brought under its sway. His Excellency also reminded me that, desiring to deal with this question in a humane and conciliatory spirit, he had abstained from using the argument which was at his command, the argument of the right of the conqueror. After the insurrection of 1830, any limitation of the absolute authority of Russia which might have previously existed, had lapsed. The Poles had engaged in hostilities against Russia. They had been subdued by force of arms. The power of Russia had been established on a new basis.

The Vice-Chancellor concluded by saying that it had been free to him to accept my communication, to reserve the rights of his Sovereign, and to abstain from all discussion on this subject. Her Majesty's Government had, however, unequivocally declared that their communication was conceived in a most friendly spirit towards Russia; accepting this declaration, he had responded to the reflections of your Lordship, and in the course which he had taken he desired that your Lordship would recognize a proof of the amicable sentiments by which he was animated towards Her Majesty's Government.

I have, &c.

(Signed) NAPIER.



*Earl Russell to Lord Napier.*

Foreign Office, April 10, 1863.

My Lord,

Her Majesty's Government think it incumbent upon them to state once more to the Government of His Majesty the Emperor of Russia the deep interest which, in common with the rest of Europe, they take in the welfare of the kingdom of Poland.

The general sympathy which is felt for the Polish nation might of itself justify Her Majesty's Government in making, in favour of the Polish race, an appeal to the generous and benevolent feelings of His Imperial Majesty, who has of late, by various and important measures of improvement and reform, manifested an enlightened desire to promote the welfare of all classes of his subjects. But with regard to the kingdom of Poland, Her Majesty's Government feel that the Government of Great Britain has a peculiar right to make its opinions known to that of His Imperial Majesty, because Great Britain having, in common with Austria, France, Prussia, Portugal, Spain, and Sweden, been a party to the treaty of Vienna of June, 1815, Her Majesty's Government are entitled to interpose with regard to any matter which may appear to them to constitute a departure from the provisions and stipulations of that treaty.

By the first article of that treaty the Grand Duchy of Warsaw was erected into a kingdom of Poland, to be inseparably attached to the Empire of Russia under certain conditions specified in that article; and Her Majesty's Government are concerned to have to say that, although the union of the kingdom to the empire has been maintained, the conditions on which that union was distinctly made to depend have not been fulfilled by the Russian Government.

The Emperor Alexander, in execution of the engagements contracted by the treaty of Vienna, established in the kingdom of Poland a national representation and national institutions corresponding with the stipulations of the treaty. It is not necessary for Her Majesty's Government now to observe upon the manner in which those arrangements were practically administered from that time down to the revolt in 1830. But upon the suppression of that revolt by the success of the Imperial arms, those arrangements were swept away, and a totally different order of things was by the Imperial authority established.

Prince Gortchakoff argues, as his pre-

decessors in office have on former occasions argued, that the suppression of that revolt cancelled all the engagements of Russia in the treaty of Vienna with regard to the kingdom of Poland, and left the Emperor of Russia at full liberty to deal with the kingdom of Poland as with a conquered country, and to dispose of its people and institutions at his will. But Her Majesty's Government cannot acquiesce in a doctrine which they deem so contrary to good faith, so destructive of the obligation of treaties, and so fatal to all the international ties which bind together the community of European states and powers.

If, indeed, the Emperor of Russia had held Poland as part of the original dominions of his Crown, or if he had acquired it by the unassisted success of his arms, and unsanctioned by the consent of any other power, he could have contended that might was equivalent to right; and, without listening to the dictates of generosity and justice, he might have punished a temporary revolt of a portion of his Polish subjects by depriving the whole of them and their descendants for ever of those privileges and institutions which his predecessor had deemed essential to the welfare and prosperity of the Polish kingdom.

But the position of the Russian Sovereign with regard to the kingdom of Poland was entirely different. He held that kingdom by the solemn stipulation of a treaty made by him with Great Britain, Austria, France, Prussia, Portugal, Spain, and Sweden; and the revolt of the Poles could not release him from the engagements so contracted, nor obliterate the signatures by which his Plenipotentiaries had concluded, and he himself had ratified, those engagements.

The question, then, having arisen whether the engagements taken by Russia by the treaty of Vienna have been and are now faithfully carried into execution, Her Majesty's Government, with deep regret, feel bound to say that this question must be answered in the negative.

With regard to the present revolt, Her Majesty's Government forbear to dwell upon that long course of action, civil, political, and military, carried on by the Russian Government within the kingdom of Poland, of which the Poles so loudly complain, and to which they refer as the causes which occasioned, and in their opinion justified, their insurrection. Her Majesty's Government would rather advert to the much-wished-for termination of these lamentable troubles.

What may be the final issue of this



contest it is not, indeed, for Her Majesty's Government to foretell; but whether the result shall be the more extended spread of the insurrection, and its assumption of dimensions not at present contemplated, or whether, as is more likely, that result shall be the ultimate success of the Imperial arms, it is clear and certain that neither result can be arrived at without a calamitous effusion of blood, a great sacrifice of human life, and an extensive devastation of property; and it is evident that even if Poland shall be reduced to subjection, the remembrance of the events of the struggle will long continue to make it the bitter enemy of Russia, and a source of weakness and of danger, instead of being an element of security and of strength.

Her Majesty's Government, therefore, most earnestly entreat the Government of Russia to give their most serious attention to all the foregoing considerations; and Her Majesty's Government would beg, moreover, to submit to the Imperial Government that, besides the obligations of treaties, Russia, as a member of the community of European states, has duties of comity towards other nations to fulfil. The condition of things which has now for a long course of time existed in Poland is a source of danger, not to Russia alone, but also to the general peace of Europe.

The disturbances which are perpetually breaking out among the Polish subjects of His Imperial Majesty necessarily produce a serious agitation of opinion in other countries of Europe, tending to excite much anxiety in the minds of their Governments, and which might, under possible circumstances, produce complications of the most serious nature.

Her Majesty's Government, therefore, fervently hope that the Russian Government will so arrange these matters that peace may be restored to the Polish people, and may be established upon lasting foundations.

Your Lordship will read this despatch to Prince Gortchakoff, and you will give him a copy of it. I am, &c.

(Signed) RUSSELL.

*Earl Russell to Lord Napier* <sup>2</sup>.

(Extract.)

Foreign Office, April 10, 1863.

I had a long conversation yesterday

with Baron Brunnow, some parts of which were of much interest.

In a former conversation I had said to him that I could not be surprised that men driven to despair should commit wild deeds of revenge, or that the ferocious disciples of Mazzini should be guilty of assassinations; but that the acts of atrocity committed by the disciplined army of Russia excited, on the part of Her Majesty's Government, surprise as well as horror. Baron Brunnow had replied that dreadful crimes of savage cruelty had been perpetrated by the insurgents, and had given rise to acts of retaliation. He informed me yesterday that General Berg would take the command of the Russian army in Poland. He said that General Berg was an able commander, and was likely by his military arrangements to put an end to the insurrection. I replied that if General Berg was, as I believed, an officer of high repute, I hoped he would restore discipline in the Russian army in Poland, and punish these acts of insubordination and barbarous violence, which had hitherto been unrestrained. Baron Brunnow denied the truth of the stories in circulation upon this subject.

Baron Brunnow asked me some questions as to the nature of the representations about to be made at St. Petersburg, and when I told him that the despatch of Her Majesty's Government was chiefly founded on the non-observance of the stipulations of the treaty of Vienna, he expressed some satisfaction that we still founded our demands on the basis of that treaty. But there was one question he felt he was entitled to ask, and that was, whether the communication Her Majesty's Government were about to make at St. Petersburg was of a pacific nature.

I replied that it was, but that as I did not wish to mislead him I must say something more. Her Majesty's Government had no intentions that were otherwise than pacific, still less any concert with other powers for any but pacific purposes.

But the state of things might change. The present overture of Her Majesty's Government might be rejected, as the representation of the 2nd of March had been rejected, by the Imperial Government. The insurrections in Poland might continue and might assume larger proportions; the atrocities on both sides might be aggravated and extended to a wider range of country. If in such a state of affairs the Emperor of Russia were to take no steps of a conciliatory nature, dangers and complications might arise not at present in contemplation.

<sup>2</sup> Similar despatches were addressed to Lord Bloomfield and Earl Cowley.

Baron Brunnow said he could not call our former despatch an overture. The intentions of the Emperor towards Poland were most kind and benevolent. But there were projects afloat for altering the map of Europe. In these projects compensations to Russia were included. Russia entered into none of these projects; she wanted no compensation; she held by the present territorial arrangements of Europe, and he (Baron Brunnow) trusted Great Britain would do so likewise.

I said it was the wish of Her Majesty's Government to do so. But Russia herself had in some cases been active in proposing and carrying into effect territorial changes. I trusted, however, that in the present case the Emperor of Russia, by granting an amnesty to those who would lay down their arms, and the benefits of free institutions to Poland, would put an end to the insurrection.

It had formerly been said that the Emperor of Russia could not give liberal institutions to Poland while he denied similar benefits to his Russian subjects. But at the present time Russia as well as Poland might well look to the enjoyment of representative institutions. Why should they not be granted at one and the same time to the kingdom of Poland and to the Empire of Russia?

Baron Brunnow had no information as to the intentions of the Emperor on this subject, and I did not press him further.

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*Lord Napier to Earl Russell. (Received April 18.)*

St. Petersburg, April 12, 1863.

My Lord,

The official newspaper of this morning contains the enclosed manifesto offering a free pardon to all parties who have been concerned in the recent insurrection in Poland, saving those who shall continue in arms after the 1st (13th) of May next. The only exceptions specified are persons guilty of other crimes, or such as have violated their military duty.

The maintenance of the institutions recently granted to Poland in all their integrity is promised, and the Emperor reserves to himself the duty of developing those institutions hereafter in conformity with the wants of the times and the country.

A separate ukase offers a similar amnesty to parties engaged in the disorders within the boundaries of the Western Governments of Russia. From the

phraseology of the decree some doubt might arise as to whether the proffered amnesty be intended to apply to those who have already been delivered over to justice, or only to those who are still in arms, and who may come in before the expiration of the term of grace. One of my colleagues informs me, however, that he knows from competent authority that the amnesty is intended to apply to both classes alike.

The Imperial manifesto is conceived in a tone of humanity and clemency which is congenial to the character of the Emperor; a religious physiognomy is given to it, which we are familiar with in Russian documents of State; the sense of it is undoubtedly consistent with the interests of the Imperial Cabinet and with the wishes of Her Majesty's Government. We may regret that the discontents in Poland are simply referred to the instigations of foreign or exiled revolutionary agents—a statement which cannot be sincere, even on the part of the most zealous Russian; and that no mention is made of the military recruitment, which was the proximate provocation of the late revolt. The Russian Government might have used a bolder sincerity with advantage; they might have avowed an error which they feel, and have promised a remedy which they have in view.

This act of mercy has been appropriately promulgated on Easter Sunday. How far it has been prompted by the expectation of foreign intervention, I am not able to affirm with confidence. I am inclined to think that it may have been accelerated by such apprehensions, but it is also plainly consistent with policy, as well as with the benevolent disposition of the Sovereign. I have, &c.

(Signed) NAPIER.

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(Translation.)

*Imperial Manifesto.*

Since the first news of the disturbances which have taken place in the kingdom of Poland, we have followed the impulse of our heart in declaring that we did not consider the Polish nation responsible for an agitation which is, above all, fatal to herself. We have attributed it alone to external influences, that have long been brought to bear upon the country by certain parties who have contracted, during the long years of an adventurous life, habits of disorder, of violence, and of obscure plots, which have perverted in them the noble sentiments of love for humanity, and even inspired the idea of sullyng by crime the honour of the nation.

These manifestations of another age, long since condemned by the judgment of history, are no longer in accordance with the spirit of our epoch. The object of the present generation should be to establish the welfare of the country, not by torrents of blood, but by the means of peaceful progress.

This is the object we have had in view when, trusting in the Divine protection, we made before God and our conscience the vow to consecrate our life to the happiness of our subjects.

But, in order to accomplish to its full extent this vow, which we shall always hold sacred, we need the assistance of all honest men who are sincerely devoted to their country, and who show their devotion not by interested calculations or criminal attempts, but by the maintenance of the public tranquillity under the protection of the laws.

In our solicitude for the future welfare of the country, we are ready to consign to oblivion all past acts of rebellion. Therefore, ardently desiring to put a stop to an effusion of blood, as useless as it is regrettable, we grant a free pardon to all those of our subjects in the kingdom implicated in the late troubles who have not incurred the responsibility of other crimes or misdemeanours committed on service in the ranks of our army, and who may, before the 1st (13th) May, lay down their arms and return to their allegiance.

It is upon us that the duty devolves of preserving the country from the recurrence of these turbulent agitations, and to inaugurate a new era of its political life. This can only commence by a rational organization of the local administrative autonomy as a basis for the whole edifice.

We have already laid the foundations in the institutions granted by us to the kingdom, but to our sincere regret the result has not yet had the opportunity of being submitted to the test of experience, in consequence of the instigations which have substituted chimerical delusions for those conditions of public order without which no reform is possible.

Whilst continuing at present to maintain these institutions in their integrity, we reserve it to ourselves, when they shall have been proved by experience, to proceed to their further development in accordance with the requirements of the time and of the country. It is only by confidence in our intentions that the kingdom of Poland will be able to efface the traces of the present evils, and to advance surely towards the destiny which our solicitude assigns it. We invoke the Divine assistance that we may be permitted to accomplish that

which we have ever considered to be our mission.

(Signed) ALEXANDER.

*St. Petersburg, March 31, 1863.*

(Translation.)

*Ukase of His Majesty the Emperor, addressed to the Administrative Senate, dated the 31st of March, 1863.*

The rebellion, so long secretly prepared, which has at length broken out in the kingdom of Poland, has also caused disorders in some parts of the western provinces of the empire. The secret agitators of the movement against our Government, obstinately opposing themselves to the realization of our benevolent intentions in regard to the organization of the affairs of the kingdom, have done their utmost to increase the difficulties which we have encountered in the accomplishment of this task, by extending the circle of their criminal enterprises and of their pernicious influence. With these objects in view, they had for some time past endeavoured to weaken the sentiments of devotion towards us of our faithful subjects of the Western Governments. For this purpose they have employed the same means which, within the kingdom itself, have led to such disastrous though incomplete results. In short, armed bands have penetrated the frontiers of the empire in order to propagate in the regions of the West those troubles which neither the emissaries of the revolution nor their clandestine invitations to rebellion had been able to excite. Our troops have dispersed the bands which have appeared in the Governments joining the frontiers of the kingdom of Poland. Their remnants have been pursued in the woods where they sought refuge. But notwithstanding the folly of a hopeless struggle, the chiefs continue to use their utmost efforts to excite the peaceful populace, and for this purpose they employ alternately promises and menaces, and even violence.

Those inhabitants of the Western Governments who have joined the rebel bands and who have been captured by our troops, and those whose participation in the revolt has been proved in any other manner, have been given up to justice.

But we are aware that all are not equally guilty, and we desire to give to those an opportunity of profiting by our sentiments of sovereign clemency.

To this end, we decree that the superior authority be charged to declare within the limits of the districts confided to them that we grant a free and entire pardon to all the inhabitants of the Western Govern-



ments implicated in these disorders, who, not having incurred the responsibility of other crimes, shall have returned to their allegiance before the 1st of May next.

We cherish the hope that this sovereign favour will be justly appreciated by all right-thinking inhabitants, and that on their side they will continue to assist in maintaining public order and tranquillity, firmly convinced that on this condition depends the realization of those plans which from the commencement of our reign we have conceived in the desire to extend the rights granted to our faithful subjects, and progressively to enlarge the sphere of activity allotted to the different local institutions included in our empire.

The Administrative Senate is directed to take the necessary steps for the execution of the present ukase.

(Signed) ALEXANDER.

*St. Petersburg, March 31, 1863.*

*Earl Russell to Lord Napier.*

Foreign Office, April 24, 1863.

Sir,

I have received and laid before the Queen your Excellency's despatch of the 12th instant, enclosing a copy of a Manifesto on Polish affairs issued by the Emperor of Russia on the 31st March (12th April).

Her Majesty's Government have carefully and anxiously considered the contents of this document, in the hope to find in it the germ of a restoration of peace, and a hope of good government to Poland.

I have to make to you the following remarks as the result of their deliberations.

An amnesty may lay the foundation of peace in two cases:—

1. If the insurgents have been thoroughly defeated, and are only waiting for a promise of pardon to enable them to return to their homes.

2. If the amnesty is accompanied with such ample promises of the redress of the grievances which gave occasion to the insurrection, as to induce the insurgents to think that their object is attained.

It is clear that the first of these cases is not that of the present insurrection.

It is not put down; it is, on the contrary, rather more extensive than it was a few weeks ago.

Let us, then, examine the amnesty with reference to the second of the supposed cases.

The Emperor, referring to the institutions which he has conferred ("octroyées") on the kingdom of Poland, says:—

"En maintenant encore aujourd'hui ces

institutions dans leur intégrité, nous nous réservons, lorsqu'elles auront été éprouvées dans la pratique, de procéder à leur développement ultérieur selon les besoins du temps et ceux du pays<sup>3</sup>."

This promise can hardly be satisfactory to the Poles. For it must be observed with regard to the institutions already given, that it was during their existence that 2000 young men were seized arbitrarily in the night, and condemned to serve as soldiers in the Russian army in defiance of justice, and even in violation of the law of 1859, so recently enacted. So that it is evident no security would be obtained by submitting again to the same laws. With those institutions in full force and vigour, innocent men might be imprisoned as criminals, or condemned to serve as soldiers, or banished to distant countries, without a trial, without publicity, without any guarantee whatever.

As to the promise held out for the future, it must be observed that it is made to depend on the practical working of these institutions, and on the wants of the time and of the country.

The first of these conditions alone destroys all reasonable hope of the fulfilment of this promise. For the practical working of the institutions hitherto given, depends on the co-operation of native Poles of property and character as members of the Council of State, and of Provincial and Municipal Assemblies. But the recent conduct of the Russian Government in Poland has deprived them of the confidence of all Poles of this description, and forced all such Poles to withdraw from the bodies in which their functions were to be exercised.

There are wanting, therefore, in this Imperial Manifesto, the first elements of success, namely, a guarantee of security on the one side, and the feeling of trust and confidence on the other.

In a despatch of Lord Durham, then Ambassador at St. Petersburg, dated in August, 1832, Lord Durham says,—  
"There has long been a jealousy, nay, hatred, existing between the Russians and Poles." Her Majesty's Government had hoped that the present Emperor, by raising the social position of his Russian, and securing the political freedom of his Polish, subjects, might have united both by the link of loyal attachment to the throne.

<sup>3</sup> Translation.—"In maintaining, at the present time, these institutions in their integrity, we reserve to ourselves, whenever they shall have been practically tried, to proceed to their further development, in accordance with the requirements of the age and of the country."



This hope has been unfortunately disappointed, and it is with great pain that Her Majesty's Government observe that the feelings of hatred between Russians and Poles have not in the lapse of thirty years been softened or modified.

The present amnesty does not appear likely to diminish the intensity of the insurrection, or give any solid security to the most moderate of Polish patriots.

I am, &c.

(Signed) RUSSELL.

*Prince Gortchakoff to Baron Brunnow.*  
(Communicated by Baron Brunnow to Earl Russell, May 2.)

(Translation.)

St. Petersburg, April 14, 1863.

M. le Baron,

On the morning of the 5th (17th) of April, Lord Napier delivered to me a copy, herewith enclosed, of a despatch from Her Britannic Majesty's Principal Secretary of State relative to the present situation of the kingdom of Poland.

The first part of this document is devoted to a retrospective examination of the question of right. The second expresses the wish that peace may be restored to the kingdom of Poland, and established on a lasting basis. I will reply to these two points of Lord Russell's despatch.

As regards the question of right, Her Britannic Majesty's Principal Secretary of State reproduces the arguments already recorded in his despatch of the 2nd of March. I can therefore refer to the observations which I then made to the Ambassador of England.

The Government of Her Britannic Majesty takes a position on ground where the Imperial Cabinet will never hesitate to meet it—that of treaties.

Nevertheless, it is here a question less of the text than of the interpretation of treaties. We have the right not to admit without reservation every interpretation which it might be wished to give them.

Lord Russell says in his despatch that, by Article I. of the General Act signed at Vienna, the 28th of May (9th of June), 1815, "the Duchy of Warsaw was erected into a kingdom of Poland, to be inseparably attached to the Empire of Russia under certain conditions."

Now, this is what the Act of Congress of Vienna stipulates in respect to those conditions:—

"Poles, subjects of Russia, Austria, and Prussia respectively, shall enjoy representation and shall obtain national

institutions to be determined in conformity with the political existence which each of the Governments to which they belong shall consider it useful and expedient to grant to them."

The Emperor Alexander I. developed these principles in accordance with his personal views. He granted to Poland the Constitution of the 12th (24th) of December, 1815. It was a spontaneous act of his sovereign will; and it did not constitute an irrevocable engagement towards foreign powers, inasmuch as the Act of Constitution, posterior to the treaty of Vienna, was not even communicated to them.

Lord Russell contests the principle according to which the revolt of Poland in 1830, having resulted in the declaration of the forfeiture of the sovereign dynasty, should be held to annul the bases of political existence granted in virtue of the Act of Vienna.

Although history has more than once confirmed this conclusion of natural right, theory may afford matter for controversy. We think it may be laid down that if the revolt does not invalidate the national engagements, it at any rate annuls the spontaneous development of them which had been generously added, and which have led to fatal results to Poland and to Russia.

But the Principal Secretary of State of Her Britannic Majesty gives to this argument a prominent place in his despatch, while I had only incidentally put it forward in the course of my conversation with Lord Napier.

The English Ambassador alludes to it in the following terms in the despatch which he had the goodness to communicate to me:—

"Prince Gortchakoff also said to me that, desiring to treat this question in a spirit of conciliation and humanity, he had abstained from employing an argument which lay at his disposal—that of the right of conquest."

Moreover, every thing has been said on both sides in this discussion, and to prolong it on that ground would be a useless task.

I proceed to the second part of Lord Russell's despatch.

The design of our august master is to arrive at a practical solution. We assume that such is also the desire of the Government of Her Britannic Majesty. Since its aim is to see assured to the kingdom of Poland the repose and welfare which are the objects of the solicitude of His Majesty the Emperor, it appears to us not difficult to arrive at an understanding.

The difference in our points of view lies in the fact that the English Government appears to believe that the Constitution of 1815 is the sole panacea calculated to calm the present agitation of Poland.

But the English Government and nation, whose practical good sense has founded the greatness of England, can hardly assert that there is only one form of government possible for all peoples, whatever may be their history and development. Before arriving at the political maturity of which England offers the example, there are many degrees to pass through, and each nation must proceed in this path according to its own instincts. It is just and natural that a sovereign, animated by the most benevolent intentions, should calculate the bearing and extension of institutions destined to place his subjects in the most favourable conditions of existence.

The idea of our august master has been shown ever since his accession to the throne, and cannot be ignored by any one in Europe.

His Majesty has resolutely entered upon the path of reform. Relying upon the trust and devotion of his people, he has undertaken and accomplished in a few years a social transformation which other states have only been able to realize after a long lapse of time and many efforts. His solicitude has not ceased there. A system of gradual development has been applied to all the branches of the public service, and to existing institutions. It opens to Russia the prospect of a regular progress. The Emperor perseveres in it without precipitation or impulse ("entraînement"), taking into account the elements which it is the work of time to prepare and mature, but without ever deviating from the line he has traced for himself.

This measure has conciliated to him the gratitude and affection of his subjects. We think it gives him a title to the sympathies of Europe.

The same designs have not ceased to influence His Majesty since his solicitude has been brought to bear upon the kingdom of Poland.

We shall not here enter into an enumeration of the national institutions, for the most part elective, with which this country has been endowed.

They do not appear to have been sufficiently understood in Europe, either on account of remoteness, or, rather, because chimerical passions and the interested labours of a hostile party have stood in the way of an equitable and impartial judgment.

The system inaugurated by our august

master contains a germ which time and experience must develope. It is destined to lead to an administrative autonomy on the basis of the provincial and municipal institutions, which in England have been the starting-point and the foundation of the greatness and prosperity of the country. But in the execution of this idea the Emperor has encountered obstacles which are found principally in the agitations of the party of disorder.

This party has understood that if it allowed the peaceable majority of the kingdom to enter upon this path of regular progress, there would be an end to their aspirations. Their intrigues have not allowed the new institutions to be carried into effect. It has been impossible to show how they work, or how far they respond to the real necessities, and to the degree of maturity, of the country.

It is only when this experiment shall have been made that it will be possible to pass a judgment upon this work, and to complete it.

The Manifesto of the 31st of March indicates the wishes of our august master in this matter.

By the side of an act of clemency, to which it has been possible to give a large extension since the dispersion of the most important armed bands, the Emperor has maintained in force the institutions already granted, and has declared that he reserved to himself the power of giving to them the developments indicated by time and the requirements of the country.

His Majesty can, then, refer to the past in the rectitude of his conscience; as to the future, it necessarily depends on the confidence with which these institutions will be met in the kingdom.

In taking a stand upon this ground, our august master considers that he acts as the best friend of Poland, as the only one whose aim it is to secure her welfare by practical means.

Lord Russell calls upon Russia to discharge those duties which, as a member of European society, she owes to foreign states.

Russia is too directly interested in the tranquillity of Poland not to understand the duties of her position towards other nations.

It would be difficult to assert that she has met, in this respect, with scrupulous reciprocity. The continual conspiracy which is being organized and armed abroad to keep up disorder in the kingdom is a fact of public notoriety, the inconvenience of which principally consists in the moral effects which the

favourers of the insurrection deduce from it, in order to lead astray the peaceable population, by gaining credit for the belief in direct assistance from abroad.

In this manner we have seen produced two influences, both equally grievous—that exercised by foreign agitation on the insurrection, and that which the continuation of the insurrection itself exercises, in its turn, upon public opinion in Europe.

These two influences react one upon the other, and have ended by bringing affairs to the situation which the powers at present point out to the vigilance of the Imperial Cabinet.

It is asked of it to restore the kingdom to the conditions of a lasting peace.

The powers are inspired with this desire by the conviction that the periodical troubles of Poland cause to the states placed in the immediate vicinity of its frontiers a shock, the reaction of which is felt by the whole of Europe, that they excite the minds of the people in a disquieting manner, and that they might, if prolonged, bring about, under certain circumstances, complications of the most serious nature.

The Government of Her Britannic Majesty, in expressing this desire, further relies upon the engagements of 1815 which affect the condition of the different parts of Poland. We do not hesitate to declare that these wishes are entirely in accordance with those of our august master.

His Majesty admits that, in the peculiar position of the kingdom, the troubles which agitate it may affect the tranquillity of the adjoining states, between which were concluded, on the 21st of April (3rd of May), 1815, separate treaties intended to determine the condition of the Duchy of Warsaw, and that they may interest the powers who signed the general transaction of the 18th of May (9th of June), 1815, in which were inserted the principal stipulations of these separate treaties.

The Emperor believes that explanations on the basis and in the spirit of the communications which have just been addressed to us may conduce to a result conformable to the general interests.

Our august master notices with satisfaction the sentiments of confidence which the Government of Her Britannic Majesty testify towards him in relying upon him to bring back the kingdom of Poland to conditions which would render possible the realization of his benevolent views.

But the more the Emperor is disposed to take into account the just prepos-

sions of the neighbouring states, and the interest which the Powers who signed the treaty of 1815 show in a state of things which is the cause of deep solicitude to His Majesty himself, the more our august master considers it a duty to request the serious attention, upon the true causes of this situation and upon the means of remedying it, of the Courts who have addressed themselves with confidence to him.

If the Government of Her Britannic Majesty lays stress upon ("relève") the reaction which the troubles of Poland exercise on the peace of Europe, we must be still more struck with the influence which the agitations of Europe have in all times had the power to exercise upon the tranquillity of Poland.

Since 1815 this country has witnessed the development of a material welfare unknown until then in her annals, while other states have in the same interval undergone many interior crises.

This repose was only troubled in 1830 by the consequences of commotions coming from abroad; eighteen years later, in 1848, while almost the whole of Europe was convulsed by the Revolution, the kingdom of Poland was able to preserve its tranquillity.

We are persuaded that it would be the same at present were it not for the continual instigations of the party of Cosmopolitan Revolution. If this party, every where devoted to the overthrow of order, at present concentrates all its activity upon Poland, a grave error would be committed in supposing that its aspirations will stop short at that limit. What it seeks there, is a lever to overturn the rest of Europe.

Those Cabinets which attach importance to seeing the kingdom of Poland return a moment earlier to the conditions of a durable peace, cannot therefore more certainly ensure the realization of this desire than by labouring, on their side, to appease the moral and material disorder which it is sought to propagate in Europe, and thus to exhaust the main source of the agitations at which their foresight is alarmed.

We entertain the firm hope that in strengthening in this respect the ties which bind them together, they will effectually serve the cause of peace and of the general interests.

I have the honour to request that you will communicate a copy of this despatch to the Principal Secretary of State of Her Britannic Majesty.

Receive, &c.

(Signed) GORTCHAKOFF.

*Earl Russell to Lord Napier.*

Foreign Office, May 2, 1863.

My Lord,

Baron Brunnow came to me this morning, and before giving me a copy of the despatch of his Government in answer to mine to your Excellency of the 10th of April, said to me in substance what follows:—"You have declared to me that the step which Lord Napier was instructed to take was taken with a pacific intention. The Imperial Cabinet has received your despatch in a similar spirit of peace and of conciliation.

"You have told me that the representation you have made is founded upon the basis of the stipulations of the treaty of Vienna of 1815.

"The Imperial Cabinet, on its part, accepts this basis.

"The Imperial Cabinet is ready to enter upon an exchange of ideas upon the ground and within the limits of the treaties of 1815."

I enclose a copy of the communication of Prince Gortchakoff.

I shall, in another and a later despatch, furnish you with the views of Her Majesty's Government upon the contents of that communication.

I am, &amp;c.

(Signed)      RUSSELL.

*Earl Russell to Lord Napier.*

Foreign Office, June 17, 1863.

My Lord,

Her Majesty's Government have considered with the deepest attention the despatch of Prince Gortchakoff of the 26th of April, which was placed in my hands by Baron Brunnow on the 2nd of May.

Her Majesty's Government are not desirous, any more than Prince Gortchakoff, of continuing a barren discussion. I will, therefore, pass over all the controversy regarding my previous despatch; I will not endeavour in the present communication to fix the precise meaning of the Article regarding Poland in the treaty of Vienna, nor will I argue, as Prince Gortchakoff seems to expect I should do, that there is only one form under which good government can be established. Still less will I call in question the benevolent intentions of the enlightened Emperor who has already in a short time effected such marvellous changes in the legal condition of his Russian subjects.

Her Majesty's Government are willing with the Emperor of Russia to seek a practical solution of a difficult and most important problem.

Baron Brunnow, in presenting to me Prince Gortchakoff's despatch, said, "The Imperial Cabinet is ready to enter upon an exchange of ideas upon the ground and within the limits of the treaties of 1815."

Her Majesty's Government are thus invited by the Government of Russia to an exchange of ideas upon the basis of the treaty of 1815, with a view to the pacification and permanent tranquillity of Poland.

Before making any definite proposals, it is essential to point out that there are two leading principles upon which, as it appears to Her Majesty's Government, any future Government of Poland ought to rest. The first of these is the establishment of confidence in the Government on the part of the governed.

The original views of the Emperor Alexander I. are stated by Lord Castlereagh, who had heard from the Emperor's own lips, in a long conversation, the plan he contemplated.

The plan of the Emperor is thus described by Lord Castlereagh:—"To retain the whole of the Duchy of Warsaw, with the exception of the small portion to the westward of Kalisch, which he meant to assign to Prussia, erecting the remainder, together with the Polish provinces formerly dismembered, into a kingdom under the dominion of Russia, with a national administration congenial to the sentiments of the people."

The whole force of this plan consists in the latter words.

Whether power is retained in the hands of one, as in the old monarchy of France,—or divided among a select body of the aristocracy, as in the Republic of Venice,—or distributed among a Sovereign, a House of Peers, and a Representative Assembly, as in England,—its virtue and strength must consist in its being a "national administration congenial to the sentiments of the people."

The Emperor Alexander II., speaking of the institutions he has given, says, "As to the future, it necessarily depends on the confidence with which these institutions will be received on the part of the kingdom."

Such an administration as Alexander I. intended, such confidence as Alexander II. looked for, unhappily do not exist in Poland.

The next principle of order and stability must be found in the supremacy of law over arbitrary will. Where such



supremacy exists, the subject or citizen may enjoy his property or exercise his industry in peace, and the security he feels as an individual will be felt in its turn by the Government under which he lives.

Partial tumults, secret conspiracies, and the interference of cosmopolite strangers, will not shake the firm edifice of such a government.

This element of stability is likewise wanting in Poland. The religious liberty guaranteed by the solemn declarations of the Empress Catherine, the political freedom granted by the deliberate Charter of the Emperor Alexander I., have alike been abrogated by succeeding Governments, and have been only partially revived by the present Emperor.

It is no easy task to restore the confidence which has been lost, and to regain the peace which is now every where broken.

Her Majesty's Government would deem themselves guilty of great presumption if they were to express an assurance that vague declarations of good intentions, or even the enactment of some wise laws, would make such an impression on the minds of the Polish people as to obtain peace and restore obedience.

In present circumstances, it appears to Her Majesty's Government that nothing less than the following outline of measures should be adopted as the bases of pacification :—

1. Complete and general amnesty.
2. National representation, with powers similar to those which are fixed by the Charter of the 15th (27th) November, 1815.
3. Poles to be named to public offices in such a manner as to form a distinct national Administration, having the confidence of the country.
4. Full and entire liberty of conscience ; repeal of the restrictions imposed on Catholic worship.
5. The Polish language recognized in the kingdom as the official language, and used as such in the administration of the law and in education.
6. The establishment of a regular and legal system of recruiting.

These six points might serve as the indications of measures to be adopted, after calm and full deliberation.

But it is difficult, nay, almost impossible, to create the requisite confidence and calm while the passions of men are becoming daily more excited, their hatreds more deadly, their determination to succeed or perish more fixed and immoveable.

Your Lordship has sent me an extract

from the St. Petersburg Gazette of the 7th (19th) of May. I could send your Lordship, in return, extracts from London newspapers, giving accounts of atrocities equally horrible committed by men acting on behalf of Russian authority.

It is not for Her Majesty's Government to discriminate between the real facts and the exaggerations of hostile parties.

Many of the allegations of each are probably unfounded, but some must in all probability be true. How, then, are we to hope to conduct to any good end a negotiation carried on between parties thus exasperated ?

In an ordinary war, the successes of fleets and armies who fight with courage, but without hatred, may be balanced in a negotiation carried on in the midst of hostilities. An island more or less to be transferred, a boundary more or less to be extended, might express the value of the latest victory or conquest. But where the object is to attain civil peace, and to induce men to live under those against whom they have fought with rancour and desperation, the case is different. The first thing to be done, therefore, in the opinion of Her Majesty's Government, is to establish a suspension of hostilities. This might be done, in the name of humanity, by a proclamation of the Emperor of Russia, without any derogation of his dignity. The Poles, of course, would not be entitled to the benefit of such an act unless they themselves refrained from hostilities of every kind during the suspension.

Tranquillity thus for the moment restored, the next thing is to consult the powers who signed the treaty of Vienna. Prussia, Spain, Sweden, and Portugal must be asked to give their opinion as to the best mode of giving effect to a treaty to which they were contracting parties.

What Her Majesty's Government propose, therefore, consists in these three propositions :—

1st. The adoption of the six points enumerated as bases of negotiation.

2nd. A provisional suspension of arms, to be proclaimed by the Emperor of Russia.

3rd. A conference of the eight Powers who signed the treaty of Vienna.

Your Excellency will read and give a copy of this despatch to Prince Gortchakoff.

I am, &c.

(Signed) RUSSELL.

*Prince Gortchakoff to Baron Brunnow.  
(Communicated to Earl Russell by  
Baron Brunnow, July 18.)*

(Translation.)

St. Petersburg, July 1, 1863.

M. le Baron,

Lord Napier has been instructed to give me the annexed despatch from Her Britannic Majesty's Principal Secretary of State to read, and a copy of it.

We have pleasure in learning that Lord Russell admits with us the barren nature of a prolonged controversy relative to the signification of the 1st Article of the treaty of Vienna; and that with us, likewise, he desires to place the question upon ground which should offer more opportunities for arriving at a practical solution.

Before taking our stand upon this ground, we deem it useful to put in a clear light our positions respectively.

The Imperial Cabinet admits the principle that every power signing a treaty has the right to interpret the sense thereof from its own point of view, provided always that that interpretation remains within the limits of the meaning that is possible to be put upon it according to the text itself.

In virtue of this principle the Imperial Cabinet does not dispute this right in any one of the eight powers which have concurred in the general proceedings of Vienna of 1815. Experience has, it is true, demonstrated that the exercise of such right issues in no practical result. The experiments made already, in 1831, have had no issue but to place on record the divergence of opinions.

Nevertheless this right exists. It extends as far as the limits which I have indicated above, and is incapable of obtaining a wider range but with the express consent of the contracting party most directly interested.

Accordingly it depended upon the Imperial Cabinet to maintain the strict application of this principle, observing the line of action taken towards them in the course of the month of April last, with respect to events which occurred in the kingdom of Poland.

If, in reply to that appeal, they went further into the subject, it was entirely owing to their perfect readiness to seek to conciliate, and in order to reply with courtesy to an appeal which bore a similar character.

I will add that another cause was, that in the intentions which His Majesty the Emperor cherishes towards his Polish

subjects, there was no purpose which could dispose us to remove them from the light.

This consideration was perfectly brought out by your Excellency, when you informed the Principal Secretary of State of Her Britannic Majesty that the Imperial Cabinet was ready to enter upon an exchange of views upon the basis and within the limits of the treaties of 1815.

That declaration we adhere to, and my despatch of this day will furnish the best proof of our perseverance in the same disposition.

Having thus confirmed the genuine and sole character of the invitation which we have addressed to the English Cabinet, we will permit ourselves, after Lord Russell's example, to precede the observations which we have to communicate to his Excellency by some reflections in reply to the questions which he has entered upon and proposed at the outset.

The Principal Secretary of State of Her Britannic Majesty says that the basis of Government is in every case the confidence which it inspires in the governed, and that the ascendancy of the law over the arbitrary element must be the foundation for order and stability.

*A priori*, we subscribe to these principles. We will only recall to mind that their indispensable corollary is respect for authority. The confidence with which a Government inspires the governed depends not alone on the goodness of its intentions, but also on the conviction imparted that it has the power of carrying them into effect.

If Lord Russell affirms that partial tumults, secret conspiracies, and the influence of cosmopolite strangers will not shake a Government based upon confidence and respect for the laws, he will also admit that neither confidence nor legal conduct would be possible were that Government to allow that a fraction of the people was vested with the right of seeking elsewhere than under the legitimately constituted authority, by armed rebellion supported by hostile or foreign parties, the well-being and the prosperity which they might declare that they could not realize without the aid of inspirations from abroad.

Lord Russell places before us six Articles which he considers to be of a nature to provide for the pacification of the kingdom of Poland.

In communicating them to us, Her Britannic Majesty's Principal Secretary of State adopts in part the point of view put forward by my despatch of the 14th of April.

This is an exchange of sentiments, and

to that form of expression we have no objection to raise.

I have clearly indicated in the despatch to which I refer, the germs of practical conduct laid down by our august master, and the developments reserved in His Majesty's purpose to be given them when he should deem the proper time to be come.

In comparing them with his own views, Lord Russell will convince himself that the greater part of the measures which he points to have already been either decreed or prepared on the initiative of our august master.

The Principal Secretary of State of Her Britannic Majesty expresses the hope that the adoption of these measures would lead to the complete and permanent pacification of the kingdom of Poland.

We are unable to share this hope without certain reserves. Viewing the subject as we do, reorganization of the kingdom must in all cases be preceded by the re-establishment of order in the country. That result is dependent upon a condition to which we had called the attention of the Government of Her Britannic Majesty, and which is not only unfulfilled, but is not even alluded to in the despatch of Lord Russell; we refer to the material assistance and moral encouragements obtained from abroad by the insurrectionists.

We are not aware from what sources of information the Government of Her Britannic Majesty have formed their judgment of the state of affairs in Poland; we must presume that they are not of impartial origin. Indeed, we find Lord Russell himself establishing a kind of similarity between the news published by the St. Petersburg journal from statements furnished under the control and upon the responsibility of the recognized agents of the Government, and the information of every kind which the London journals borrow, without discernment or any guarantee, from the most suspected publications of the Polish revolutionary press.

The confidence inspired by these publications has more than once given cause for declarations which, in spite of the formal denials given to them by daily events, have contributed to mislead opinion in England.

In this manner have been propagated, in relation to the brave Russian soldiers who fulfil in Poland a painful duty with devotion and self-denial, calumnies and outrages which all Russia has felt with profound indignation.

If Lord Russell were exactly informed of what passes in the kingdom of Poland,

he would know, as we do, that wherever the armed rebellion has striven to acquire substance, to give itself a visible head, it has been crushed. The masses have kept aloof from it, the rural population evinces even hostility to it, because the disorders by which agitators live ruin the industrial classes. The insurrection sustains itself alone by a terrorism unprecedented in history. The bands are recruited principally from elements foreign to the country. They gather together in the woods, and disperse at the first attack to reunite in other places. When they are too closely pressed they cross the frontier to re-enter the country at another point.

Politically, it is a stage display intended to act upon Europe. The principle of action of the directing committees from without is to keep up agitation at all cost, in order to give food for the declarations of the press, to abuse public opinion, and to harass the Governments, by furnishing an occasion and a pretext for a diplomatic intervention which should lead to military action. All the hope of the armed insurrection is in this, it is the object at which it has laboured from its rise.

Lord Russell will admit that in this situation the measures which he recommends to us would with difficulty find application practically. The greater part, I repeat it, have already been decreed; the state of the country has, up to the present time, paralyzed their execution. As long as that condition of things shall subsist, the same causes will produce the same effects. The presence of armed bands, the terrorism of the Central Committee, and the appearance of an immediate pressure from without, would moreover take from these measures the fitness of time, the dignity, and the effectiveness which we could promise ourselves in their spontaneous adoption.

We will go farther. Even when they could be put into execution with the full extension with which they are invested in the mind of the Principal Secretary of State of Her Britannic Majesty, they would have no prospect whatever of attaining the result which he has in view, that of pacifying the country.

If Lord Russell follows attentively the productions of the press devoted to the Polish rebellion, he must be aware that the insurgents demand neither an amnesty, nor an autonomy, nor a representation either more or less complete. The absolute independence of the kingdom even would be for them only a means for arriving at the final object of their aspirations. This object is dominion over provinces where the immense majority

are Russian by race or by religion; in a word, it is Poland extended to the two seas, which would inevitably bring about a claim to the Polish provinces belonging to other neighbouring powers.

We desire to pronounce no judgment upon these aspirations. It suffices for us to prove that they exist and that the Polish insurgents do not conceal them. The final result in which they would arrive cannot be doubtful. It would be a general conflagration which the elements of disorder scattered through all countries would be brought to complicate, and which seek for an opportunity to subvert Europe.

We have too much confidence in the justice of the Principal Secretary of State of Her Britannic Majesty to allow that he can approve an object as irreconcilable with the peace and with the equilibrium of Europe, with which are bound up the interests of Great Britain, as they are with the maintenance of the treaties of 1815, the only basis and the only starting-point of the overtures which he has just made to us.

Lord Russell quotes a passage related by Lord Castlereagh of a conversation which that statesman had with the Emperor Alexander I. in 1815, and which mentions the project formed by this sovereign to combine the Duchy of Warsaw "with the Polish provinces anciently dismembered, into a kingdom under the sovereignty of Russia, with an administration in accordance with the wishes of the people."

This idea was a passing inclination of the Emperor Alexander I., and one which that sovereign did not accomplish when he was enabled to consider more maturely the interests of his kingdom. At all events, this question must be excluded even in an exchange of ideas made within the limits of the treaties of 1815.

The only stipulation of these treaties which can have made it appear doubtful that the Emperor of Russia possessed the kingdom of Poland by the same title as that by which he holds his other possessions, the only one which might have made his rights dependent upon any condition whatever, and which explains the possibility of an exchange of ideas with foreign Courts upon the subject of his relations with that portion of his dominions, is the vague phrase of Article I., which says—

"That the Emperor of Russia reserves it to himself to give to this State enjoying a distinct administration, such an internal extension as he shall deem advisable."

And that Article, which says—

"That the Poles, the respective subjects of the high contracting parties, shall ob-

tain representation and national institutions, regulated in conformity with the mode of the political existence which each of the Governments to which they belong shall deem it expedient and proper to bestow upon them."

But the history of this period is not so remote that the remembrance can be lost of the position which Russia held at the termination of the European crisis which was brought to an end by the treaty of Vienna.

From that time we should not be far from the truth if we affirmed that the 1st Article of the treaty of Vienna was prepared by and directly emanated from His Majesty the Emperor Alexander I. The conversation with Lord Castlereagh cited by Lord Russell is an additional evidence of this fact.

After saying this, the Principal Secretary of State of Her Britannic Majesty will dispense us from giving an answer to the proposed arrangement for a suspension of hostilities. It would not resist a serious examination of the conditions necessary for carrying it into effect. If it were to be defined between whom it was to be negotiated, of what nature the *status quo* was to be which it would guarantee, and who was to watch over its execution, it would readily be perceived that the provisions of public law could not be applied to a situation which would be a flagrant violation of such law. His Majesty the Emperor owes to his faithful army which struggles for the maintenance of order, to the peaceable majority of Poles who suffer from these deplorable agitations, and to Russia on whom they impose painful sacrifices, to take energetic measures to terminate them. Desirable as it may be speedily to place a term to the effusion of blood, this object can only be attained by the insurgents throwing down their arms and surrendering themselves to the clemency of the Emperor. Every other arrangement would be incompatible with the dignity of our august master, and with the sentiments of the Russian nation.

It would, besides, have a result diametrically opposed to the one recommended by Lord Russell.

As to the idea of a conference of the eight powers who signed the treaty of Vienna, which should discuss the six points adopted as bases, it presents to us serious inconveniences, without our being able to see in it any advantage.

If the measures in question are sufficient for the pacification of the country, a conference would be without object. If the measures were to be submitted to ulterior deliberation, there would result a direct ob-



interference of foreign powers in the most intimate details of the administration, an interference that no great power could admit, and which certainly England would not accept in her own affairs.

Such an interference would be neither in the spirit nor in the letter of the treaties of Vienna, on the base of which we have invited the powers to a friendly exchange of ideas. It would result in removing still further the end which they propose to themselves by depriving the Government of its prestige and its authority, and by further increasing the pretensions and illusions of the Polish agitators.

The course which was followed in 1815 appears to us to indicate clearly enough the nature of the deliberations which may take place upon questions bearing, on the one side, on the general interest, and, on the other, upon administrative details of the exclusive dominion of the neighbouring Sovereign States. At that epoch a distinction was practically established between these two classes of interests; the first have been the object of separate negotiations on the part of the Courts of Russia, Austria, and Prussia, between which the traditions of history, a permanent contact, and an immediate neighbourhood created a strict solidarity. All the arrangements destined to regulate the interior administration and the mutual relations of the Polish territories placed, since the congress of Vienna, under their respective dominions, have been laid down in treaties concluded directly between these three Courts on the 21st of April (3rd of May), 1815. They have been successively completed by a series of special conventions whenever circumstances have required it. The general principles mentioned in these treaties, and which could alone interest Europe, have been inserted in the Act of the Congress of Vienna, signed on the 27th of May (9th of June), by all the powers invited to concur in it.

At present it is not a question of these general principles, but the administrative details and ulterior arrangements would furnish useful matter for discussion by the three Courts in order to place the respective position of their Polish possessions, to which the stipulations of the treaties of 1815 extend, in harmony with present necessities, and the progress of time. The Imperial Cabinet declares itself from the present time ready to enter into a similar understanding with the Cabinets of Vienna and Berlin.

In any case, the re-establishment of order is an indispensable condition which must precede any serious application of

the measures destined for the pacification of the kingdom.

This condition depends greatly upon the resolution of the great powers not to lend themselves to calculations which the instigators of the Polish insurrection found on or expect from an active intervention in favour of their exaggerated aspirations.

Clear and categorical language on the part of those powers would contribute to dissipate these illusions, and to thwart these calculations which tend to prolong the disorder and excitement of public opinion.

They would thus bring nearer the moment which we invoke—that in which the tranquillization of passions and the return of material order will permit our august master to labour for the moral pacification of the country by putting into execution the measures which His Majesty maintains both in the germs already laid down, and in the developments of them which he has allowed to be foreseen.

Your Excellency will have the goodness to read and give a copy of this despatch to the Principal Secretary of State of Her Britannic Majesty.

Receive, &c.

(Signed) GORTCHAKOFF.

*Earl Russell to Lord Napier.*

Foreign Office, August 11, 1863.

My Lord,

On the 18th of last month Baron Brunnow communicated to me a despatch which he had received the evening before from Prince Gortchakoff.

This despatch, of which I enclose a copy, is far from being a satisfactory answer to the representation which, in concert with France and Austria, Her Majesty's Government addressed to the Cabinet of St. Petersburg.

The despatch begins, indeed, by stating that "the Imperial Cabinet admits the principle that every power signing a treaty has a right to interpret its sense from its own point of view, provided that the interpretation remains within the limits of the meaning that it is possible to put upon it according to the text itself." Prince Gortchakoff adds, "In virtue of this principle the Imperial Cabinet does not dispute this right on the part of any one of the eight powers which have concurred in the General Act of Vienna of 1815."

Prince Gortchakoff, however, departing widely from the question of the interpre-

tation of the treaty of Vienna, proceeds to ascribe the continuance of the insurrection in Poland to the moral and material assistance which it receives from without; admits vaguely the six points; rejects the proposed suspension of hostilities; refuses to accept a conference of the eight powers who signed the treaty; and, finally, declares that the re-establishment of order must precede the serious application of any measures destined for the pacification of Poland.

Her Majesty's Government will now proceed to examine calmly the principal topics of Prince Gortchakoff's reply to the considerations brought before him in my despatch.

1. Prince Gortchakoff, while he admits that confidence on the part of the governed, and the ascendancy of law over arbitrary power, must be the foundation of order and stability, adds that the indispensable corollary to these principles is respect for authority. But the Russian Cabinet cannot be ignorant that clemency and conciliation are often more effective in establishing respect for authority than material force. It would be a lamentable error to seek to restore that respect by force of arms alone, without the addition of some adequate security for the political and religious rights of the subjects of the King of Poland. Such security the proposals of the three powers held out to Russia and to Poland alike.

It has pleased the Cabinet of St. Petersburg not to avail itself of this mode of restoring respect for authority.

2. Prince Gortchakoff affirms—and this view is the theme of the beginning and end of his despatch—that the re-establishment of order in Poland is dependent upon a condition to which he had called the attention of the Government of Her Britannic Majesty, “and which is not only unfulfilled, but is not even alluded to in the despatch of Lord Russell; we refer to the material assistance and moral encouragements obtained from abroad by the insurgents.”

Her Majesty's Government would have been glad to have avoided this topic, and instead of commenting on the past, to refer only to healing measures for the future.

But thus compelled by Prince Gortchakoff's reference to allude to the subject, Her Majesty's Government have no hesitation in declaring their conviction that the principal obstacle to the re-establishment of order in Poland is not the assistance obtained by the insurgents from abroad, but the conduct of the Russian Government itself.

The Empress Catherine in 1772 pro-

posed to the Poles the maintenance of their religion. The Emperor Alexander I. in 1815 promised to the Poles national representation and national administration.

These promises have not been fulfilled. During many years the religion of the Poles was attacked, and to the present hour they are not in possession of the political rights assured to them by the treaty of 1815 and the constitution of the same year.

The violation of these solemn engagements on the part of the Russian Government produced disaffection, and the sudden invasion of the homes of Warsaw in a night of January last was the immediate cause of the present insurrection.

Unless the general feeling in Poland had been estranged from Russia, the moral and material assistance afforded from abroad would have availed the insurgents little. It is true, however, that lively sympathy has been excited in Europe in favour of the Poles. In every considerable State where there exists a national representation,—in England, in France, in Austria, in Prussia, in Italy, in Spain, in Portugal, in Sweden, in Denmark,—that sympathy has been manifested. Wherever there is a National Administration, the Administration has shared, though with prudence and reserve in expression, the feelings of the legislature and the nation.

Russia ought to take into account these sympathies, and profit by the lesson which they teach.

3. Prince Gortchakoff lays much stress on the fact, which cannot be denied, that “the insurgents demand neither an amnesty, nor an autonomy, nor a representation more or less complete.”

But it would be a mistake to suppose that in cases of this kind there are only two parties, viz. the Government occupied in suppressing the insurrection, and the leaders of the insurgents busy in fomenting and extending it. Besides these parties there is always in such cases a large floating mass who would be quite contented to see persons and property secure under a just and beneficent administration. The confidence of this great mass has not been obtained, and their continued inaction can hardly be depended upon.

Her Majesty's Government must again represent the extreme urgency of attempting at once the work of conciliation which is so necessary for the general interest.

In profiting by the loyal and disinterested assistance which is offered her by Austria, France, and Great Britain, the Court of Russia secures to herself the most powerful means towards making

ideas of moderation prevail in Poland, and thus laying the foundations of permanent peace.

4. In referring to the treaty of Vienna, Prince Gortchakoff says that "we should not be far from the truth if we affirmed that the 1st Article of the treaty of Vienna was prepared by and directly emanated from His Majesty the Emperor Alexander I."

Her Majesty's Government readily admit the probability of this supposition. In 1815, Great Britain, Austria, France, and Prussia would have preferred to the arrangement finally made, a restoration of the ancient kingdom of Poland as it existed prior to the first partition of 1772, or even the establishment of a new independent kingdom of Poland, with the same limits as the present kingdom.

The great army which the Emperor Alexander then had in Poland, the important services which Russia had rendered to the Alliance, and, above all, a fear of the renewal of war in Europe, combined to make Great Britain, Austria, and Prussia accept the arrangement proposed by the Emperor Alexander, although it was, in their eyes, of the three arrangements in contemplation the one least likely to produce permanent peace and security in Europe.

But the more Her Majesty's Government see in the decision adopted the prevailing influence of Russia, the more they are impressed with the conviction that the Emperor of Russia ought to be, of all sovereigns, the most desirous to observe the conditions of that arrangement.

It would not be open to Russia to enjoy all the benefits of a large addition to her dominions, and to repudiate the terms of the instrument upon which her tenure depends.

In stating these terms Prince Gortchakoff says that the only stipulation which can have made it appear doubtful that the Emperor of Russia possessed the kingdom of Poland by the same title as that by which he holds his other possessions, the only one which could make his rights dependent upon any condition whatever, is contained in two passages, which he proceeds to quote.

But there is another passage which he does not quote. It is found in the beginning of the 1st Article, and says:—

"The Duchy of Warsaw, with the exception of the provinces and districts which are otherwise disposed of by the following Articles, is united to the Russian Empire, to which it shall be irrevocably attached by its Constitution, and be possessed by His Majesty the Emperor of all

the Russias, his heirs and successors in perpetuity."

Were not a national representation intended by this Article, it would have been sufficient to say, "to which it shall be irrevocably attached," without any mention of a Constitution.

It is, therefore, evident that the Constitution is the link by which Poland was connected with Russia. It is important to know what this Constitution was which united Poland and Russia. It was not prescribed by the treaty; it was not promulgated by the European powers; its construction was left entirely to the Emperor Alexander; but nevertheless, when once promulgated, it must be taken to be the Constitution meant by the framers of the treaty of Vienna.

It was for this reason that Her Majesty's Government proposed as the second of the six points laid before the Government of Russia, "national representation with powers similar to those which are fixed by the Charter of the 15th (27th) November, 1815."

5. Passing to the specific propositions of Her Majesty's Government, Prince Gortchakoff says in regard to the six points, that the greater part of the measures which were pointed out by the three powers "have already been either decreed or prepared on the initiative of our august master."

Towards the end of the despatch an allusion is made to "the measures which His Majesty adheres to, both in the germs already laid down, and in the development of them, which he has allowed to be foreseen."

This passage, though far from being a definite assurance either of a national representation with efficacious means of control, or of a national administration, gives some hope that the Emperor Alexander will ultimately listen to the inspirations of his own benevolent disposition, and to the counsels of Europe.

The proposal of a suspension of hostilities is rejected "in justice to the Emperor's faithful army, to the peaceable majority of Poles, and to Russia, on whom these agitations impose painful sacrifices."

The proposal of a conference of the powers who signed the treaty of Vienna is rejected, and with it the prospect of an immediate and friendly concert.

In the place of this fair and equitable proposal, the Russian Cabinet suggests that the three powers who proposed the separate treaties between Austria and Russia, and Prussia and Russia, previously to the general treaty of Vienna, should meet together, and that France

and Great Britain should be afterwards informed of the result of their deliberations.

There are two reasons, either of which would be sufficient to condemn this suggestion:—

1. The treaties in question, taken apart from the provisions inserted in the general treaty of Vienna, have reference only to material objects,—the use of the banks of rivers, the regulations for towing-paths, the free passage of merchandise from one province to another, and such other matters of convenience and of commerce. No political developments or details are contained in them.

2. It is obvious that such a conference would place Austria in a false position, and be inconsistent with her relations to France and Great Britain.

His Majesty the Emperor of Austria, therefore, with a proper sense of his own dignity, has at once rejected the Russian proposal.

In communicating their views to Prince Gortchakoff, it remains to Her Majesty's Government to discharge an imperative duty.

It is to call his Excellency's most serious attention to the gravity of the situation, and the responsibility which it imposes upon Russia.

Great Britain, Austria, and France have pointed out the urgent necessity of putting an end to a deplorable state of things which is full of danger to Europe. They have at the same time indicated the means which, in their opinion, ought to be employed to arrive at this termination, and they have offered their co-operation in order to attain it with more certainty.

If Russia does not perform all that depends upon her to further the moderate and conciliatory views of the three powers, if she does not enter upon the path which is opened to her by friendly counsels, she makes herself responsible for the serious consequences which the prolongation of the troubles of Poland may produce.

I am, &c.

(Signed) RUSSELL.

*Prince Gortchakoff to Baron Brunnov.  
(Communicated to Earl Russell by  
Baron Brunnov, September 14.)*

(Translation.)

Tsarkoe-Selo, August 26 (September 7), 1863.

Lord Napier has, by order of his

Government, communicated to me a despatch from Lord Russell, of which your Excellency will find a copy hereunto annexed.

It is an answer to my despatch of the 1st (13th) of July last, which you were invited to communicate to the Principal Secretary of State of Her Britannic Majesty.

The overtures which we had set forth in that document were dictated to us by the desire to arrive at an understanding.

In receiving the observations which they have suggested to Lord Russell with the attention which we always pay to the opinions of Her Britannic Majesty's Government, we cannot but regret that we must come to the conclusion that we have not attained the end which we had proposed to ourselves.

From the moment that this discussion could only end in establishing and in confirming the divergence of our views, it would be too contrary to our conciliatory disposition for us to seek to prolong it; and we believe that in this we are not acting at variance with the sentiments of the Principal Secretary of State of Her Britannic Majesty.

We prefer to fix our attention only upon the essential points of his despatches, upon which we find ourselves agreed, at least in intention.

Her Britannic Majesty's Government desire to see promptly re-established in the kingdom of Poland a state of things which shall restore tranquillity to that country, repose to Europe, and security to the relations of the Cabinets.

We entirely share in this desire, and all that can depend upon us shall be done to realize it.

Our august master continues to be animated by the most benevolent intentions towards Poland, and by the most conciliatory towards all foreign powers. To provide for the welfare of his subjects of all races and of every religious conviction is an obligation which His Imperial Majesty has accepted before God, his conscience, and his people. The Emperor devotes all his solicitude to the fulfilment of that obligation.

As regards the responsibility which may be assumed by His Majesty in his international relations, those relations are regulated by public right. The violation of those fundamental principles can alone involve responsibility. Our august master has constantly respected and observed those principles with regard to other States. His Majesty has the right to expect and to claim the same respect on the part of the other powers.



You will be pleased to read and give a copy of this despatch to the Principal Secretary of State of Her Britannic Majesty.

Receive, &c.

*Earl Russell to Lord Napier.*

Foreign Office, October 20, 1863.

My Lord,

Baron Brunnow has communicated to me a despatch from Prince Gortchakoff dated August 26 (September 7), in reply to my despatch to your Excellency of the 11th ultimo, of which you were instructed to give a copy to his Excellency.

Her Majesty's Government have no wish to prolong the correspondence on the subject of Poland for the mere purpose of controversy.

Her Majesty's Government receive with satisfaction the assurance that the Emperor of Russia continues to be animated with intentions of benevolence towards Poland, and of conciliation in respect to all foreign powers.

Her Majesty's Government acknowledge that the relations of Russia towards European powers are regulated by public law; but the Emperor of Russia has special obligations in regard to Poland.

Her Majesty's Government have, in the despatch of the 11th of August and preceding despatches, shown that in regard to this particular question the rights of Poland are contained in the same in-

strument which constitutes the Emperor of Russia King of Poland.

I am, &c.

(Signed) RUSSELL.

P.S.—Your Excellency is instructed to give a copy of this despatch to Prince Gortchakoff.

*Lord Napier to Earl Russell. (Received November 9.)*

St. Petersburg, October 27, 1863.

My Lord,

In conformity with your Lordship's telegraphic instructions I waited on Prince Gortchakoff this forenoon, and placed in his Excellency's hands your Lordship's despatch of the 20th instant, having reference to the affairs of Poland.

The Vice-Chancellor read your Lordship's despatch through aloud without offering any remark. At the conclusion his Excellency observed that in the communication with which I was charged he saw a proof of the friendly disposition of Her Majesty's Government and an act conformable to the true interests of Poland, for the moderation of Her Majesty's Government must discourage the exaggerated expectations of the Revolutionary party, and hasten the moment when the Emperor would be enabled to carry into effect his benevolent intentions towards his Polish subjects.

I have, &c.

(Signed) NAPIER.

## CORRESPONDENCE WITH THE FRENCH GOVERNMENT ON THE PROPOSED CONGRESS.

*Letter from the Emperor of the French to the Queen of Great Britain.*

(Translation.)

Madam, my Sister,

In face of the events which daily arise and press themselves on attention, I deem it indispensable to impart my whole thoughts to the sovereigns to whom the destiny of nations is confided.

On all occasions when great convulsions have shaken the foundations and deranged the limits of States solemn compacts have followed, to reduce to order the new elements, and to recognize, while revising them, the changes that have been effected.

Such was the object of the treaty of Westphalia in the seventeenth century,

and of the negotiations of Vienna in 1815. It is on this last foundation that the political edifice of Europe now rests; and nevertheless, your Majesty is not ignorant, it is crumbling to pieces on all sides.

If one considers attentively the situation of the different countries, it is impossible not to admit that on almost all points the treaties of Vienna are destroyed, modified, disregarded, or menaced. Hence there are duties without rule, rights without title, pretensions without restraint—a peril the more formidable, since the improvements produced by civilization, which has united peoples together by an identity of material interests, would render war still more destructive.

This is a matter for serious reflection.

Let us not delay taking a decision until sudden and irresistible events disturb our judgment and draw us in spite of ourselves in opposite directions. I now, therefore, propose to your Majesty to regulate the present and to secure the future by means of a Congress.

Summoned to the throne by Providence and the will of the French people, but brought up in the school of adversity, it is, perhaps, less allowable for me than for others to ignore the rights of sovereigns and the legitimate aspirations of peoples. Thus I am ready, without any pre-conceived system, to bring to an International Council a spirit of moderation and justice, the ordinary portion of those who have undergone so many different trials.

If I take the initiative in such an overture I do not yield to an impulse of vanity, but because I am the sovereign to whom ambitious projects have mostly been attributed. I have it at heart to prove, by this frank and loyal overture, that my sole object is to arrive, without convulsion, at the pacification of Europe. If this proposal be agreed to, I beg your Majesty to accept Paris as the place of meeting.

If the princes, allies and friends of France, should think fit to enhance by their presence the authority of the deliberations, I shall be proud to offer them cordial hospitality. Europe will, perhaps, see some advantage in the capital whence the signal of confusion has so often arisen becoming the seat of conferences destined to lay the basis of a general pacification.

I take this opportunity of renewing to you the assurances of the high esteem and inviolable friendship with which I am,

Madam, my Sister,

Your Majesty's good Brother,

NAPOLEON.

Paris, Nov. 4.

*Extract of a Despatch from Earl Russell to Earl Cowley, dated Foreign Office, November 11.*

My Lord,

I have to acquaint your Excellency that the Queen has received from the Emperor of the French a letter, dated November 4.

The Queen has stated, in reply to this letter, that the Emperor may be assured that any suggestion or proposal made by His Imperial Majesty will always command Her Majesty's most earnest and attentive consideration, and more especially when the general welfare of nations

is concerned; that Her Majesty has, accordingly, directed her confidential advisers to submit to her the opinion which, after due deliberation, they may arrive at, in regard to the important measures which the Emperor recommends for adoption by his allies; and that her Principal Secretary of State for Foreign Affairs will, with as little delay as possible, authorize the Ambassador at Paris to make known to His Imperial Majesty's Government the conclusion which, after weighing that opinion, Her Majesty may feel it her duty to adopt.

I am, &c.

RUSSELL.

*From Earl Russell to Earl Cowley.*

Foreign Office, Nov. 12.

My Lord,

Her Majesty the Queen having been pleased to refer to her confidential servants a letter of the Emperor Napoleon, addressed to Her Majesty on the subject of a Congress, I proceed to inform you of the view which Her Majesty's Government take of the proposal contained in it.

The letter invites Her Majesty to take part in a Congress, to be held in Paris, on the affairs of Europe.

I am commanded in the first place to inform your Excellency that Her Majesty's Government see in this step a proof of the interest taken by His Imperial Majesty in the welfare of Europe.

I will now proceed to remark on the ground stated for this proposal, and then examine the proposal itself.

His Imperial Majesty observes that on all occasions when great convulsions have shaken the foundations and deranged the limits of States, solemn compacts have been entered into having for their object to reduce to order the new elements, and to recognize, while revising them, the changes that have been effected. Such was the object of the treaty of Westphalia in the seventeenth century, and of the negotiations of Vienna in 1815. On this last foundation the political edifice of Europe now rests, and nevertheless, His Imperial Majesty observes, it is crumbling to pieces on all sides.

The Emperor goes on to state that, if the situation of the different countries is attentively considered, it is impossible not to admit that in almost all points the treaties of Vienna are destroyed, modified, disregarded, or menaced.

When so important a proposal as that which the Emperor has put forth is made to rest on certain grounds, it is our duty

to examine carefully the grounds themselves.

Nearly half a century has elapsed since the treaties of 1815 were signed. The work was somewhat hurried by the necessity of giving repose to Europe after so many convulsions. Yet the changes made in this period of fifty years have not been more than might have been expected from the lapse of time, the progress of opinion, the shifting policy of Governments, and the varying exigencies of nations. If we take half a century from the peace of Westphalia to 1700, or a similar period from the peace of Utrecht to 1763, we shall find those periods marked by extensive changes, as well as the period which has elapsed between 1815 and 1863.

Yet it was not thought necessary at the epochs mentioned to proceed to a general revision either of the treaty of Westphalia or the treaty of Utrecht.

It is the conviction of Her Majesty's Government that the main provisions of the treaty of 1815 are in full force; that the greater number of those provisions have not been in any way disturbed; and that on those foundations rests the balance of power in Europe.

If, instead of saying that the treaty of Vienna has ceased to exist, or that it is destroyed, we inquire whether certain portions of it have been modified, disregarded, or menaced, other questions occur. Some of the modifications which have taken place have received the sanction of all the great powers, and now form part of the public law of Europe.

Is it proposed to give those changes a more general and solemn sanction? Is such a work necessary? Will it contribute to the peace of Europe?

Other portions of the treaty of Vienna have been disregarded or set aside, and the changes thus made *de facto* have not been recognized *de jure* by all the powers of Europe.

Is it proposed to obtain from powers which have not hitherto joined in that recognition a sanction to those changes?

Lastly come those parts of the treaty of Vienna which are menaced, and upon those portions the most important questions of all arise. What is the nature of the proposals to be made on this subject by the Emperor Napoleon? In what direction would they tend? And, above all, are they, if agreed to by a majority of the powers, to be enforced by arms?

When the Sovereigns or Ministers of Austria, France, Prussia, Russia, and Great Britain met at Verona in 1823 upon the affairs of Spain, the first four of those powers carried into effect their resolutions by means of armed forces, in

spite of the protest of Great Britain. Is this example to be followed at the present Congress in case of disagreement? Upon all these points Her Majesty's Government must obtain satisfactory explanations before they can come to any decision upon the proposal made by the Emperor.

Her Majesty's Government would be ready to discuss with France and other powers, by diplomatic correspondence, any specified questions upon which a solution might be attained, and European peace thereby more securely established.

But they would feel more apprehension than confidence from the meeting of a Congress of Sovereigns and Ministers without fixed objects, ranging over the map of Europe, and exciting hopes and aspirations which they might find themselves unable either to gratify or to quiet.

Her Majesty's Government have no reason to doubt that the Emperor Napoleon would bring into such an assembly a spirit of moderation and of justice. They feel confident that his object is to give security to the peace of Europe. The only question is as to the means by which that object is to be attained.

You are directed to read and give a copy of this despatch to M. Drouyn de Lhuys.

I am, &c.

RUSSELL.

(Translation.)

*From M. Drouyn de Lhuys to the Marquis de Cadore.*

Palace of Compiègne, Nov. 23.

Sir,

Lord Cowley communicated to me some days ago a despatch from his Excellency Earl Russell, dated the 12th of this month, and which expresses the opinion of the British Government relative to the proposal to call at Paris a Congress to deliberate on the affairs of Europe. You will find annexed a copy of it. My previous correspondence has answered beforehand some of the considerations developed in this document. It is my duty, nevertheless, to sum up in this despatch, of which you will send a copy to his Excellency the Principal Secretary of State, the motives which have determined the resolution of His Majesty.

The Imperial Government have no intention either to apologize for or to criticize the treaties of Vienna. The Emperor declared on mounting the throne that he should consider himself bound by the engagements subscribed to by his predecessors. Lately again, in his letter to the sovereigns, His Majesty showed

that the diplomatic acts of 1815 were the foundation on which rests to-day the political edifice of Europe. But this is, he considers, an additional reason for examining whether this foundation is not itself shaken to its base.

Now, the Cabinet of London recognizes with us that several of these stipulations have been seriously infringed. Among the modifications which have taken place some have been consecrated by the sanction of all the great powers, and at present constitute a part of international law; others, on the contrary, carried into execution, have not been recognized as law by all the Cabinets. As regards the first, we cannot help calling attention to the irresistible power with which they have forced themselves on the acceptance of the Governments. The eagerness of England herself to give to them her adhesion proves how little the former combinations answered, according to the expression of Lord Russell, the requirements of the lapse of time, the progress of opinion, the shifting policy of Governments, and the varying exigencies of nations; on the other hand, are not we authorized in believing that changes so important have diminished to some extent the harmony and equilibrium of the whole? We admit with Lord Russell that it is not absolutely necessary to give to these changes a more general and more solemn sanction; but we consider it would be an advantage to clear away the ruins and re-unite in a single body all the living members.

As regards the modifications to which the powers have not given an unanimous assent, they constitute so many causes of dispute which at any moment may divide Europe into two camps. Instead of leaving the decision of these to violence and chance, would it not be better to pursue their equitable solution to a common agreement, and sanction these changes by revising them?

The third category comprises those parts of the treaty of Vienna which are menaced. "Upon those portions," says his Excellency the Principal Secretary of State, "the most important questions of all arise. What is the nature of the proposals to be made on this subject by the Emperor Napoleon? In what direction would they tend, and, above all, are they, if agreed to by a majority of the powers, to be enforced by arms?"

The Emperor, while he pointed out to Europe the dangers of a situation in deep commotion, indicated the method of averting the dire calamities which he foresees, and at which he less than others, perhaps, would have reason to take alarm, for the

questions out of which at the present time war may arise interest France but indirectly, and it would depend on herself alone whether she would take part in the struggle, or stand aloof from it. This he did by addressing all the sovereigns in full confidence and simultaneously, without previous understanding with any of them, in order the better to testify his sincere impartiality, and to enter upon, free of every engagement, the important deliberations to which he invites them. Himself the youngest of sovereigns, he considers he has no right to assume the part of an arbiter, and to fix beforehand for the other Courts the programme of the Congress which he proposes. This is the motive of the reserve which he has imposed upon himself. It is, moreover, so difficult to enumerate the questions, not yet solved, which may disturb Europe.

A deplorable struggle is bathing Poland in blood, is agitating the neighbouring States, and threatening the world with the most serious disturbances. Three powers, with a view of putting a stop to it, invoke in vain the treaties of Vienna, which supply the two sides with contradictory arguments. Is this struggle to last for ever?

Pretensions opposed to one another are exciting a quarrel between Denmark and Germany. The preservation of peace in the North is at the mercy of an accident. The Cabinets have already by their negotiations become parties to the dispute. Are they now become indifferent to it?

Shall anarchy continue to prevail on the lower Danube, and shall it be able at any moment to open anew a bloody arena for the dispute of the Eastern question?

Shall Austria and Italy remain in presence of each other in a hostile attitude, ever ready to break the truce which prevents their animosities exploding?

Shall the occupation of Rome by the French troops be prolonged for an indefinite period?

Lastly, must we renounce without fresh attempts at conciliation the hope of lightening the burden imposed on the nations by the disproportionate armaments occasioned by mutual distrust?

Such are, sir, in our opinion, the principal questions which the powers would doubtless judge it useful to examine and decide.

Lord Russell surely does not expect us to specify here the mode of solution applicable to each of these problems, nor the kind of sanction which might be given by the decisions of the Congress. To the powers there represented would pertain the right of pronouncing upon these various points. We will only add



that it would be in our eyes illusory to pursue their solution through the labyrinth of diplomatic correspondence and separate negotiation, and that the way now proposed, so far from ending in war, is the only one which can lead to a durable pacification.

At one of the last meetings of the Congress of Paris, the Earl of Clarendon, invoking a stipulation of the treaty of peace, which had just been signed, and which recommended recourse to the mediation of a friendly state before resorting to force, in the event of dissension arising between the Porte and others of the signatory powers, expressed the opinion "that this happy innovation might receive a more general application, and thus become a barrier against conflicts which frequently only break forth because it is not always possible to enter into explanation and to come to an understanding." The Plenipotentiaries of all the Courts concurred unanimously in the intention of their colleague, and did not hesitate to express in the name of their Governments the wish that States between which any serious misunderstanding may arise should have recourse to friendly mediation before appealing to arms.

The solicitude of the Emperor goes further; it does not wait for dissensions to break out in order to recommend an application to the actual circumstances of the salutary principle engraven on the latest monument of the public law of Europe, and His Majesty now invites his allies "to enter into explanations, and to come to an understanding."

Accept, &c.

DROUYN DE LHUYS.

*Copy of a Despatch from Earl Russell  
to Earl Cowley.*

Foreign Office, Nov. 25.

My Lord,

Her Majesty's Government have received from the Marquis of Cadore the copy of a despatch addressed to him by M. Drouyn de Lhuys, in answer to my despatch to your Excellency of the 12th inst. Her Majesty's Government having obtained an answer to the inquiries they made, will not any longer delay giving a definitive reply to the invitation addressed by the Emperor of the French to Her Majesty the Queen, to take part in a Congress of the European powers to be assembled at Paris.

I enclose a copy of the Emperor's letter of invitation to the Queen, which is similar to one which has already appeared in the

"Moniteur," addressed to the German Confederation.

Her Majesty's Government fully recognize in this step the desire of the Emperor of the French to put an end to the disquietude which affects several parts of Europe, and to establish the general peace on foundations more solid than those on which, in his opinion, it now rests.

The Emperor declares that France is disinterested in this question; that he, for his part, seeks no aggrandizement, and that the interests to be secured are those, not of France, but of Europe.

Her Majesty's Government may also declare that Great Britain is disinterested in this matter, that she seeks no aggrandizement, and that she has only to counsel moderation and peace.

But France and Great Britain being thus disinterested themselves, are bound to consider what is the position, and what, in a Congress, will be the probable conduct of powers who may be called upon to make sacrifices of territory or of pre-eminence and moral strength.

It would be little to the purpose to say on this occasion any thing more of the treaties of 1815.

Practically, the Emperor of the French admits the binding force of many portions of those treaties, and Her Majesty's Government as readily allow that some portions of them have been modified or disregarded, and that other portions are now menaced or called in question.

Her Majesty's Government understand from the explanations given by M. Drouyn de Lhuys that, in the opinion of the Government of the Emperor, it is obvious to every one that there are several questions not hitherto solved which may disturb Europe. Of this nature are the following:—

Must the conflict in Poland be still further prolonged?

Is Denmark to be at war with Germany, and have the powers which formerly took a part in the discussion of this question become indifferent to it?

Must anarchy continue in the Danubian Principalities, and thus at any moment tend to re-open the question of the East?

Must Italy and Austria always remain in presence of each other in a hostile attitude?

Must the occupation of Rome by French troops be prolonged for an indefinite time?

The Emperor's Government put a further question:—

Must we, without having made new attempts at conciliation, renounce the

hope of lightening the burdens imposed upon the nations of Europe by excessive armaments, kept up by the feeling of mutual distrust?

These, no doubt, are the principal questions which either disturb or threaten the peace of Europe; but there is a further question which Her Majesty's Government consider to lie at the bottom of this whole matter, and that is the following:—

Is a General Congress of European States likely to furnish a peaceful solution of the various matters in dispute?

This, indeed, is the question which it behoves the Governments of the different States to consider seriously and attentively.

There appears to Her Majesty's Government to be one main consideration which must lead them to their conclusion.

After the war which desolated Germany from 1619 to 1649, and after the successive wars which afflicted the Continent of Europe from 1793 to 1815, it was possible to distribute territories and to define rights by a Congress, because the nations of Europe were tired of the slaughter and exhausted by the burdens of war, and because the powers who met in Congress had by the circumstances of the time the means of carrying their decisions and arrangements into effect.

But at the present moment, after a continuance of long peace, no power is willing to give up any territory to which it has a title by treaty or a claim by possession.

For example, of the questions mentioned as disturbing or threatening Europe, two of the most disquieting are those regarding Poland and Italy.

Let us examine the present state of these questions, and see whether it is probable that a Congress would tend to a peaceful settlement of them.

In the first place, with regard to Poland, the question is not new to France, to Austria, or to Great Britain.

For several months these powers, while carefully abstaining from any threat, have attempted to obtain from Russia by friendly representations the adoption of measures of a healing nature, but have only succeeded in procuring promises, often repeated, that when the insurrection shall have been put down, recourse will be had to clemency and conciliation. Would there be any advantage in repeating in the name of a Congress representations already made with so little effect?

Is it probable that a Congress would be able to secure better terms for Poland

unless by a combined employment of force?

Considerable progress has been made by the military preponderance, and by the unsparing severity of Russia, in subduing the insurgents.

Is it likely that Russia will grant in the pride of her strength what she refused in the early days of her discouragement?

Would she create an independent Poland at the mere request of a Congress?

But if she would not, the prospect becomes one of humiliation for Europe, or of war against Russia, and those powers who are not ready to incur the cost and hazard of war may well desire to avoid the other alternative.

It may be truly said, moreover, that the present period is one of transition. If the insurrection shall be subdued, it will then be seen whether the promises of the Emperor of Russia are to be fulfilled. If the insurrection shall not be subdued, or if, in order to subdue it, the Polish population is treated with fresh—and, if that be possible—with aggravated rigour, other questions will arise which may require further consideration, but which would hardly receive a solution from a large assembly of representatives of all the powers of Europe.

Indeed, it is to be apprehended that questions, arising from day to day, coloured by the varying events of the hour, would give occasion rather for useless debate than for practical and useful deliberation in a Congress of twenty or thirty representatives, not acknowledging any supreme authority, and not guided by any fixed rules of proceeding.

Passing to the question of Italy, fresh difficulties occur. In the first place, is it intended to sanction by a new treaty the present state of possession in Italy? The Pope and the sovereigns related to the dispossessed princes might, on the one side, object to give a title they have hitherto refused to the King of Italy; and the King of Italy, on the other, would probably object to a settlement which would appear to exclude him, by inference at least, from the acquisition of Rome and Venetia.

But is it intended to ask Austria in Congress to renounce the possession of Venetia? Her Majesty's Government have good grounds to believe that no Austrian representative would attend a Congress where such a proposition was to be discussed. They are informed that if such an intention were announced beforehand, Austria would decline to attend the Congress; and that if the question were introduced without notice, the

Austrian Minister would quit the Assembly. Here again, therefore, the deliberations of the Congress would soon be brought in sight of the alternative of nullity or war.

But is it possible to assemble a Congress and to summon an Italian representative to sit in it without discussing the state of Venetia? The Emperor of the French would be the first person to feel and to admit that such a course would not be possible.

With regard to Germany and Denmark, it is true that several of the powers of Europe have interested themselves in that question, but the addition of Spain, Portugal, Italy, and Turkey to the deliberation would scarcely improve the prospect of a satisfactory solution. And if, with regard to Poland and Italy, no beneficial result is likely to be attained, is it expedient to call together a General Congress of all the States of Europe to find a remedy for the anarchy of Moldo-Wallachia?

Were all these questions—those of Poland, Italy, Denmark, and the Danubian Provinces, to be decided by the mere utterance of opinions, the views of Her Majesty's Government upon most of them might, perhaps, be found not materially to differ from those of the Emperor of the French.

But if the mere expression of opinions and wishes would accomplish no positive results, it appears certain that the delibe-

rations of a Congress would consist of demands and pretensions put forward by some and resisted by others; and, there being no supreme authority in such an assembly to enforce the decisions of the majority, the Congress would probably separate, leaving many of its members on worse terms with each other than they had been when they met. But if this would be the probable result, it follows that no decrease of armaments is likely to be effected by the proposed Congress. M. Drouyn de Lhuys refers to a proposal made by Lord Clarendon in one of the last sittings of the Congress of Paris. But Her Majesty's Government understand that proposal to have reference to a dispute between two powers to be referred to the good offices of a friendly power, but in no way to the assembling of a General Congress.

Not being able, therefore, to discern the likelihood of those beneficial consequences which the Emperor of the French promised himself when proposing a Congress, Her Majesty's Government, following their own strong convictions, after mature deliberation, feel themselves unable to accept His Imperial Majesty's invitation.

You are instructed to give a copy of this despatch to M. Drouyn de Lhuys.

I am, &c.

RUSSELL.

## PROMOTIONS AND APPOINTMENTS.

*Jan. 9.* To be Baronets of the United Kingdom:—Thomas Davies Lloyd, Esq., of Bronwydd, in the county of Cardigan, and of Kilrhue, in the county of Pembroke; Henry Rich, Esq., of Sonning, in the county of Berks; Francis Crossley, Esq., of Belle Vue, in the county of York, and of Somerleyton, in the county of Suffolk; William Brown, Esq., of Richmond-hill, in the county palatine of Lancaster; Sir Daniel Cooper, Knight, of Woollahra, in New South Wales, late Speaker of the Legislative Assembly of that colony; and David Baxter, Esq., of Kilmaron, in the county of Fife.

Edward Parkyns Levinge, Esq., Barrister-at-Law, to be a Judge of the High Court at Fort William, Bengal.

*Jan. 23.* The Rev. Arthur Penrhyn Stanley, D.D., to be one of the Deputy Clerks of the Closet to Her Majesty, in the room of the Rev. John Vane, resigned.

Appointments by His Royal Highness the Prince of Wales:—

To be Keeper of the Privy Seal of His Royal Highness:—Sir Wm. Dunbar, Bart., M.P.

To be Attorney-Gen. of His Royal Highness:—Sir Wm. John Alexander, Bart., Q.C.

To be the Council of His Royal Highness:—The Duke of Newcastle, K.G., Lord Warden of the Stannaries; Sir Wm. Dunbar, Bart., M.P., Keeper of the Privy Seal; Sir Wm. John Alexander, Bart., Q.C., Attorney-Gen.; Col. the Hon. Sir Chas. Beaumont Phipps, K.C.B., Receiver-Gen. of the Duchy of Cornwall; Lieut.-Gen. Wm. Thos. Knollys, Comptroller and Treasurer of the Household of His Royal Highness; the Lord Portman.

*Jan. 30.* *Congé d'élire* to the Dean and Chapter of the Cathedral Church of Bristol, empowering them to elect a Bishop of the See of Gloucester and Bristol, the

same being void by the translation of the Most Rev. Father in God Dr. William Thomson, late Bishop thereof, to the Cathedral and Metropolitan See of York. The Rev. Charles John Ellicott, D.D., now Dean of the Cathedral Church of Exeter, recommended to be by them elected Bishop of the said See of Gloucester and Bristol.

*Jan. 30.* The Right Hon. Philip Henry, Earl Stanhope; the Right Hon. Chas. Stewart, Viscount Hardinge; Francis Charteris, Esq. (commonly called Lord Elcho); the Right Hon. Sir Edmund Walker Head, Bart., K.C.B.; Wm. Stirling, Esq.; Henry Danby Seymour, Esq.; and Henry Reeve, Esq., to be H.M.'s Commissioners to inquire into the present position of the Royal Academy in relation to the Fine Arts, and into the circumstances and conditions under which it occupies a portion of the National Gallery, and to suggest such measures as may be required to render it more useful in promoting art and in improving and developing public taste.

*Feb. 4.* The Rev. Charles Merivale, Rector of Lawford, Essex, to be Chaplain of the House of Commons, in the room of the Ven. Archdeacon Drury, deceased.

*Feb. 16.* Appointments in the Household of the Prince of Wales:—

To be Hon. Chaplains:—The Rev. Arthur Penrhyn Stanley, D.D., Canon of Christ Church, Oxford; the Rev. Charles Kingsley, M.A.; the Rev. Henry Mildred Birch, M.A.; and the Rev. Charles Feral Tarver, M.A.

To be Physicians in Ordinary:—Wm. Jenner, Esq., M.D., and Edward Sieveking, Esq., M.D.

To be Surgeons in Ordinary:—James Paget, Esq., and George Pollock, Esq.

To be Surgeon Extraordinary:—John Minter, Esq., R.N., M.D., F.R.C.S.

To be Surgeon-Dentist:—E. Saunders, Esq.



To be Hon. Physicians:—T. King Chambers, Esq., M.D.; Henry Wentworth Acland, Esq., M.D.; and Alex. Armstrong, Esq., M.D., R.N.

To be Surgeon-Apothecary:—Claudius F. Du Pasquier, Esq., F.R.C.S., M.S.A.

*March 10.* Appointments in the Household of Her Royal Highness the Princess of Wales:—

The Lord Harris to be Chamberlain to Her Royal Highness.

The Marchioness of Carmarthen, the Countess of Morton, the Countess of Macclesfield, and the Countess de Grey, to be Ladies of the Bedchamber to Her Royal Highness.

The Hon. Mrs. Robert Bruce, the Hon. Mrs. William George Grey, the Hon. Mrs. Edward Coke, and the Hon. Mrs. Francis Stonor, to be Bedchamber Women to Her Royal Highness.

*March 24.* Letters patent directed to be passed under the Great Seal of the United Kingdom of Great Britain and Ireland, constituting and appointing the Most Noble Edward Adolphus, Duke of Somerset, K.G.; Vice-Adm. the Hon. Sir Frederick William Grey, K.C.B.; Rear-Adm. Sir Charles Eden, C.B.; Rear-Adm. Charles Frederick; Capt. the Hon. James Robert Drummond, C.B.; and Spencer Compton Cavendish, Esq. (commonly called Marquis of Hartington), to be H.M.'s Commissioners for executing the office of Lord High Admiral of the said United Kingdom of Great Britain and Ireland, and the dominions, islands, and territories thereunto belonging.

*April 3.* The Hon. and Rev. William John Brodrick, M.A., presented to the Deanery of the Cathedral Church of Exeter, void by the promotion of Dr. Charles John Ellicott, late Dean thereof, to the See of Gloucester and Bristol.

*April 28.* 10th Hussars.—Gen. His Royal Highness the Prince of Wales, K.G., K.S.L., to be Colonel, *vice* Gen. the Earl Beauchamp, transferred to the 2nd Life Guards.

*May 1.* The Right Hon. George Frederick Samuel, Earl de Grey and Ripon, to be one of H.M.'s Principal Secretaries of State for the War Department.

*May 5.* The Most Noble Edward Adolphus, Duke of Somerset, K.G.; Vice-Admiral the Hon. Sir Frederick William Grey, K.C.B.; Rear-Admiral Charles Eden, C.B.; Rear-Admiral Charles Frederick; Captain the Hon. James Robert Drummond, C.B.; and James Stansfeld, the younger, Esq., to be H.M.'s Commissioners for executing the office of Lord High Admiral of the said United Kingdom of Great Britain and Ireland, and the

dominions, islands, and territories thereunto belonging.

The Right Hon. Robert Montgomery, Lord Belhaven, K.T., to be H.M.'s High Commissioner to the General Assembly of the Church of Scotland.

*June 19.* The dignity of an Earl of the United Kingdom of Great Britain and Ireland granted to Edward Adolphus, Duke of Somerset, K.G., and the heirs male of his body lawfully begotten, by the name, style, and title of Earl St. Maur, of Berry Pomeroy, in the county of Devon.

*July 7.* The Hon. Adelaide Cavendish to be one of H.M.'s Maids of Honour in Ordinary, in the room of the Hon. Victoria Alexandrina Stuart-Wortley, resigned.

H.R.H. the Prince of Wales, K.G., to be Capt.-Gen. and Col. of the Hon. Artillery Company of London.

Mr. Henry Pendock St. George Tucker, of the Bombay Civil Service, to be a Judge of the High Court at Bombay.

*Aug. 11.* Capt. H.S.H. the Prince of Leiningen, R.N., to be an ordinary member of the Civil Division of the Second Class, or Knights Commanders, of the Most Hon. Order of the Bath.

Robert Montgomery, Lord Belhaven, K.T., to be Lieut. and Sheriff-Principal of the shire of Lanark, in the room of William Alexander Anthony Archibald, Duke of Hamilton, deceased.

The dignity of Knighthood of the United Kingdom of Great Britain and Ireland granted unto James Cox, of Kinellan, co. Edinburgh, Doctor of Medicine, one of the Commissioners of the General Board of Lunacy for Scotland.

The like dignity granted to Goldsworthy Gurney, Esq., of Bude, co. Cornwall.

*Aug. 14.* Sir James Hudson, K.C.B., H.M.'s Envoy Extraordinary and Minister Plenipotentiary to the King of Italy, to be an Ordinary Member of the Civil Division of the First Class, or Knights Grand Cross, of the Most Hon. Order of the Bath.

James Douglas, Esq., C.B., Governor and Commander-in-Chief in and over Vancouver's Island and the Colony of British Columbia, to be an Ordinary Member of the Civil Division of the Second Class, or Knights Commanders, of the said Most Hon. Order.

Miss Emma Lascelles to be one of H.M.'s Maids of Honour in Ordinary, in the room of the Hon. Adelaide Cavendish, resigned.

*Aug. 18.* The Hon. Lucy Caroline Lyttelton to be one of H.M.'s Maids of Honour in Ordinary, in the room of the Hon. Beatrice Byng, resigned.

*Aug. 28.* Sir James Plaistow Wilde, Knight, one of the Barons of the Court of Exchequer, to be Judge of H.M.'s Court of Probate.

*Sept. 12.* The Hon. Henry George Elliot to be H.M.'s Envoy Extraordinary and Minister Plenipotentiary to the King of Italy.

*Sept. 17.* Sir Henry Barkly, K.C.B., to be Governor and Commander-in-Chief in and over the Island of the Mauritius and its dependencies.

*Sept. 22.* Major Robert Miller Mundy to be Lieut.-Governor of the Island of Grenada.

*Sept. 26.* The Right Rev. Walter John Trower, D.D., to the Bishopric of Gibraltar, in the room of the Right Rev. George Tomlinson, D.D., deceased.

*Sept. 30.* John Alexander, Earl of Hopetoun, to be Lieutenant and Sheriff-Principal of the shire of Linlithgow, in the room of Archibald John, Earl of Rosebery, K.T., resigned.

*Oct. 2.* Gillery Pigott, Esq., Serjt.-at-Law, to be one of the Barons of the Court of Exchequer, in the room of Sir James Plaistow Wilde, Knight, Judge of H.M.'s Court of Probate.

Sir Roundell Palmer, Knight, to be H.M.'s Attorney-General, *vice* Sir William Atherton, resigned.

Robert Porrett Collier, Esq., to be H.M.'s Solicitor-General, *vice* Sir R. Palmer.

*Oct. 4.* Arthur Edward Kennedy, Esq., C.B., to be Governor and Commander-in-Chief in and over the Island of Vancouver and its dependencies.

*Oct. 23.* Major-Gen. Burke Cuppage to be Lieut.-Governor of the Island of Jersey, in the room of Major-Gen. Sir Robert Percy Douglas, Bart., resigned.

*Nov. 1.* The honour of Knighthood conferred upon Gillery Pigott, Esq., one of the Barons of H.M.'s Court of Exchequer.

*Nov. 6.* Henry Mills, Esq., one of

H.M.'s Counsel learned in the Law, to be a Judge of the High Court of Judicature at Fort William, in Bengal.

*Nov. 13.* His Highness Seramudi Rajahye, Hindostan Raj-Rajender Sree Maharajah Dheeraj Sewaee Ram Sing, Bahadoor of Jyepore, and his Highness Furzund Dilband Rasekool Itahqad Dow-lut-i-Englishia Rajah Suroop Sing, Bahadoor of Jheend, to be Knights of the Most Exalted Order of the Star of India.

*Nov. 15.* The Very Rev. Richard Chenevix Trench, D.D., Dean of Westminster, to be Archbishop of Dublin, in the room of the Most Rev. Richard Whately, deceased.

The Rev. Arthur Penrhyn Stanley, D.D., Regius Professor of Ecclesiastical History at Oxford, Canon of Christ Church, Honorary Chaplain in Ordinary to the Queen, and Examining Chaplain to the Bishop of London, to be Dean of Westminster.

*Dec. 1.* The Rev. Addington Robert Peel Venables, M.A., to be Bishop of the See of Nassau (Bahama Islands), in the room of the Right Rev. Dr. Charles Caulfield, deceased.

*Dec. 8.* The Right Hon. Sir John Laird Mair Lawrence, Bart., G.C.B., K.S.I., to be H.M.'s Viceroy and Governor-General of India, in the room of the Earl of Elgin, deceased.

At the Court at Windsor, the 8th of December, 1863:—Present—The Queen's Most Excellent Majesty in Council.

This day His Royal Highness the Prince of Wales was, by Her Majesty's command, introduced into the Privy Council, where His Royal Highness took his place at the upper end of the Board.

The Right Hon. Sir William Gibson Craig, Bart., the Lord Clerk Register and Keeper of the Signet in Scotland, was, by Her Majesty's command, also sworn of Her Majesty's Most Honourable Privy Council.

## SHERIFFS FOR ENGLAND AND WALES.

### ENGLAND.

(Except Cornwall and Lancashire.)

BEDFORDSHIRE—Benjamin Helps Starey, of Milton Ernest, Esq.

BERKSHIRE—James Blyth, of Woolhampton House, near Newbury, Esq.

BUCKS—Philips Crosby Lovett, of Liscombe House, Esq.

CAMBRIDGESHIRE AND HUNTS—D. Onslow, of Great Staughton, Esq.

CHESHIRE—Sir Charles Watkin Shakerley, of Somerford Park, Bart.

CUMBERLAND—William Nicholson Hodgson, of Newby Grange, Carlisle, Esq.

DERBYSHIRE—Sir Henry Flower Every, of Eggington, Bart.

DEVONSHIRE—George Stucley Stucley, of Hartland Abbey, Bideford, Bart.

DORSETSHIRE—George Whieldon, of Wyke Hall, Gillingham, Esq.

- DURHAM—John Richard Westgarth Hildyard, of Horsley, Esq.  
 ESSEX—George Palmer, of Nazing, Esq.  
 GLOUCESTERSHIRE—Philip William Skynner Miles, of King's Weston, Esq.  
 HEREFORDSHIRE—William Bridgman, of Weston-under-Penyard, Esq.  
 HERTFORDSHIRE—Samuel Richard Block, of Greenhill-grove, Esq.  
 KENT—Samuel Long, of Bromley-hill, Esq.  
 LEICESTERSHIRE—John Martin, of Whatton House, Esq.  
 LINCOLNSHIRE—George Charles Uppleby, of Barrow, Esq.  
 MONMOUTHSHIRE—Henry Martyn Kennard, of Crumlin Hall, Esq.  
 NORFOLK—Joseph Stonehewer Scott Chad, of Thursford, Esq.  
 NORTHAMPTONSHIRE—George Ashby Ashby, of Naseby, Esq.  
 NORTHUMBERLAND—Watson Askew, of Pallinsburn, Esq.  
 NOTTINGHAMSHIRE—John Henry Manners Sutton, of Kellam, Esq.  
 OXFORDSHIRE—Thomas Taylor, of Aston House, Esq.  
 RUTLAND—The Hon. Henry Lewis Noel, of Exton Park.  
 SHROPSHIRE—Thomas Charlton Whitmore, of Apley Park, Esq.  
 SOMERSETSHIRE—George Treweeke Scobell, of Kingwell, Esq.  
 COUNTY OF SOUTHAMPTON—Melville Portal, of Laverstoke House, Esq.  
 STAFFORDSHIRE—Thomas Bagnall, of West Bromwich, Esq.  
 SUFFOLK—John William Brooke, of Sibton Park, Esq.  
 SURREY—Lewis Lloyd, of Monk's Orchard, near Croydon, Esq.  
 SUSSEX—John Charles Fletcher, of Dale Park, Arundel, Esq.  
 WARWICKSHIRE—Charles Marriott Caldecott, of Holbrook Grange, Esq.  
 WESTMORELAND—William Wilson, of High Park, near Kendal, Esq.  
 WILTSHIRE—Thomas Fraser Grove, of Fern, Esq.  
 WORCESTERSHIRE—Richard Hemming, of Bentley Manor, Bromsgrove, Esq.  
 YORKSHIRE—John Hope Barton, of Stapleton Park, near Pontefract, Esq.

## WALES.

- ANGLESEA—Robert Lloyd Jones Parry, of Tregaian, Esq.  
 BREECONSHIRE—Thomas de Winton, of Cefn Cantreff, Esq.  
 CARDIGANSHIRE—Price Lewis, of Gwastod, near Lampeter, Esq.  
 CARMARTHENSHIRE—Isaac Horton, of Ystrad, Esq.  
 CAERNARVONSHIRE—John Platt, of Bryn-y-neuodd, Esq.  
 DENBIGHSHIRE—John Lloyd, of Rhagatt, Corwen, Esq.  
 FLINTSHIRE—Charles Butler Clough, of Llwyn Offa, Esq.  
 GLAMORGANSHIRE—John Popkin Traherne, of Coytrahene, Esq.  
 MERIONETHSHIRE—Howel Morgan, of Hengwrtuchaf, Esq.  
 MONTGOMERYSHIRE—John Dugdale, of Llywn, Esq.  
 PEMBROKESHIRE—William Rees, of Scoveston, Esq.  
 RADNORSHIRE—Henry Thomas, of Pencerrig, Esq.





Remaining in the Exchequer on the 31st day of December, 1862; the amount of Money raised by additions to the Funded or Unfunded Debt, and the amount applied towards the Redemption of Funded or paying off Unfunded Debt in the Year ended the 31st day of December, 1863; the total amount of Advances and Repayments on account of Local Works, &c., in the same period, with the difference accruing thereon; and the Balances in the Exchequer on the 31st day of December, 1863.

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| Balances in the Exchequer on the 31st December, 1862 . . . . . |  |  | *4,549,478 14 11                 |  |  | At the Bank of England . . . . . |  |  | At the Bank of Ireland . . . . . |  |  | Money raised in the Year ended 31st December, 1863 :— |  |  | TERMINABLE DEBT :—               |  |  | By the creation of Terminable Annuities, per Acts 23 & 24 Vict. c. 109, and 25 & 26 Vict. c. 78 (to provide for the Expense of constructing certain Fortifications), to expire on the 5th April, 1885, as follows : |  |  | 9th Jan., 1863 . . . . .         |  |  | 30th Mar. . . . .                |  |  | 10th April . . . . .             |  |  | 10th June . . . . .              |  |  | 13th July . . . . .              |  |  | 1st Sept. . . . .                |  |  | Total Annuities created . . . . . |  |  | UNFUNDED DEBT :—Nil.             |  |  | Repayments on account of sums advanced for the Purchase of Bullion, and for Local Works, under various Acts of Parliament |  |  | Less,—Advances for ditto ditto . . . . . |  |  | Excess of Repayments over Advances . . . . . |  |  | Excess of Income over Total Expenditure in the Year ended 31st December, 1863 . . . . . |  |  | * Including £150,000 of the Money raised for Fortifications. |  |  | † Including £70,000 of the Money raised for Fortifications. |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                                  |  |  |                              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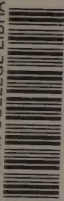




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